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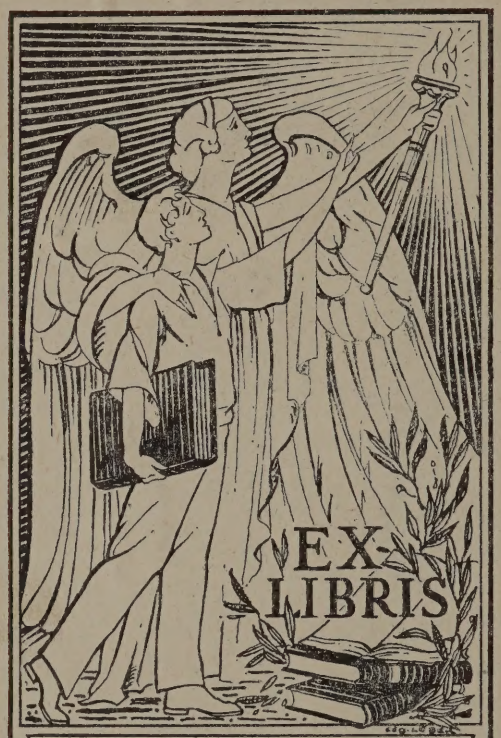
# FEDERAL LEGISLATION FOR THE BLIND

Masters thesis
The University of Chicago
June, 1945



THE UNIVERSITY OF CHICAGO



# FEDERAL LEGISLATION FOR THE BLIND

A REPORT SUBMITTED TO THE FACULTY OF
THE SCHOOL OF SOCIAL SERVICE ADMINISTRATION
IN CANDIDACY FOR THE DEGREE OF
MASTER OF ARTS

BY
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CHICAGO, ILLINOIS
JUNE, 1945

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# INTRODUCTION

The purpose of this study is to consider the ways the federal government aids in meeting the problems of the blind. This is done by abalyzing the most important existing federal legislation for the blind and discussing it in relation to the following: (1) its progress through Congress; (2) the expressed reactions of Congress; and (3) the groups which supported the passage of such legislation. This report does not include federal legislation which provides aid to the needy blind.

The method of presentation of the material is by arrangement of the federal laws in categories which appear best to describe the provisions of these laws. These comprise, first, those laws which promote the education of the blind; second, those which promote the employment of the blind; and third, those miscellaneous laws which extend the welfare of the blind in various areas by granting accommodations and concessions, such as special provision for guide dogs.

To prepare the reader for a discussion of the federal legislation which has been passed to promote the welfare of the blind, a brief resume is given of the general trend and outstanding problems of blindness and of the past attempts to care for the blind by local programs.

The material for this study has been gathered primarily from the following sources: (1) the Congressional Record; (2) the Statutes at Large; (3) the Senate and House Reports; and (4) the various committee hearings which were available. In addition, some use has been made of secondary sources, and special studies and reports on the problems and treatment of the blind.

Through a better understanding of existing federal legislation, one can recognize the gaps and need for further legislation by the federal government to assist the blind in their social and economic development. It is hoped that this

# INTRODUCTION

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review of the action taken by the federal government for the blind may suggest such gaps and may serve also to suggest possible action in behalf of all handicapped persons.

## CHAPTER I

## THE PROBLEM

As a preliminary to studying the federal legislation which has been enacted in behalf of the blind it is helpful to review the number and distribution of the blind population as well as some of the past state programs for the care of blind people.

The first nation-wide attempt to count the total blind population was made by the Bureau of the Census in 1830. Although the Bureau of the Census continued its reports on the number, age, and so forth, of blind persons from 1830 through 1930, they were discontinued in the 1940 Census as they had proved to be incomplete and inaccurate. The major reasons for the inaccuracy of the Census figures were, first, that there was no one definition of blindness which could be uniformly applied by the persons who answered the Census taker's questions, and second, that the investigators neglected to inquire, in many cases, if there was a blind member in the household. In view of other studies which estimated the number of blind people in the United States, it may be noted here that the 1930 Census report listed the total blind population as 63,489.[1]

The American Foundation for the Blind, which is a national agency established to promote those interests of the blind which cannot be handled

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[1] U. S. Bureau of the Census, Fifteenth Census of the United States: 1930. The Blind and Deaf-Mutes (Washington: Government Printing Office, 1931), p. 10.

advantageously by local agencies,[1] acknowledged the inaccuracy of the reports by the Bureau of the Census and in 1938 made its own estimate of the total blind population. This study determined, from special surveys which had been made in some states, the rate of blindness at 1 to 1.5 per 1,000 of the general population and estimated the number of blind persons at 130,000.[2] This estimate was based on data obtained from certain states and not from all forty-eight states.

The Fifth Annual Report of the Social Security Board recognized the ansence of reliable data regarding the number of blind people in the general population, and explained that the rates for blind recipients had been computed on the basis of the estimated total population of the participating states. As of August 13, 1940, there were 47,606 blind recipients and 5,816 pending applications for aid to the blind in the forty-three participating states and territories.[3] It must be remembered that these figures concern only the needy

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[1]Social Work Year Book, 1945, ed. Russell H. Kurtz (New York: Russell Sage Foundation, 1945), p. 523. This source lists the activities of the American Foundation for the Blind as follows: research in education, statistics, legislation, vocational opportunities, mechanical appliances, and publishing methods for the blind including the manufacture of talking book records and reading machines; consultation service; assistance to state and community agencies in the organization of their activities, and in the promotion of legislation; special services to blind individuals; scholarships for a limited number of promising students with satisfactory vocational objectives; and a special lending library on the welfare of the blind.

[2]Robert B. Irwin, "The Blind and Resources for Their Aid," What of the Blind?, ed. Helga Lende (New York: American Foundation for the Blind, 1938), p. 4.

[3]U. S. Social Security Board, Fifth Annual Report (Washington: Government Printing Office, 1941), p. 105.

adult blind and accordingly do not account for the total blind population. They do, however, reflect seriously upon the figures estimated by the 1930 Census.

A recent unpublished report by the director of the Department of Statistics of the Russell Sage Foundation estimated the total number of blind persons in the United States at 230,000. This report has been accepted by many as the best "approximation" of the total blind population.[1]

Although there have been several studies made to estimate the size of the blind population it seems significant that there has not been one study which presents data acceptable to all of the students and authorities on the problem of blindness. Apparently the chief reason for the absence of an accurate enumeration of the blind population has been the varying and conflicting definitions of blindness. Only recently has a standard definition of blindness been adopted which is widely accepted. This definition can be worded in two ways: in lay terms and in medical terms. In lay terms, blindness is defined as "vision insufficient for use in the ordinary activities of life for which sight is essential."[2] The opthalmological definition of blindness is "visual acuity of 20/200 or less in the better eye with proper correction, or a limitation in the fields of vision such that the widest diameter of visual field subtends an angular distance no greater than 20 degrees."[3]

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[1]"The Blind," Social Work Year Book, 1945, p. 46.

[2]Irwin, op. cit., p. 3.

[3]"The Blind," Social Work Year Book, 1945, p. 45.

This means that an individual is considered to be blind when he can only recognize at twenty feet or less, even with the best eye correction, what the normal eye can recognize at two hundred feet; or that he has other limitations in the field of vision which are equivalent to this handicap.[1] With the acceptance of a standard definition of blindness one might expect an accurate enumeration of the total blind population in the future. The problem of applying the accepted definition remains, however, for certainly it may be not applied with accuracy by ordinary Census enumerators nor even by well-trained investigators outside the medical profession.

Despite the fact that there are no reliable figures which give the total number of blind persons in the United States, some of the authorities on the problem of blindness believe that the trend of blindness is downward; at least one of the authorities, however, does not believe that sufficient evidence is available to indicate whether the trend is upward or downward.[2] Richard French in his historical study of the blind wrote that the advance of civilization coincides with a decrease rather than an increase in blindness. Hoever, he made allowances for the sporadic increases from time to time due to accidental or temporary factors such as industrial changes and epidemics.[3] Another authority on the blind wrote,". . . .viewing the situation in its

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[1]The 20/200 line on the eye doctor's chart is a 3½ inch square letter E.

[2]Social Security Bulletin, VIII (1945), p. 18.

[3]Richard Slayton French, From Homer to Helen Keller (New York: American Foundation for the Blind, Inc., 1932), p. 31.

entirety, we seem justified in affirming a conviction that blindness has within a measurable time shown on the whole a decrease, although this decrease cannot as yet be called a very material one; and that the chances are that in the future this decline will continue, perhaps at an accelerated rate."[1]

As to the characteristics of blindness, the 1930 Census did give valuable information concerning the distribution, age, and employment of blind persons. It was found that, on the whole, blind people were widely distributed throughout the country and the blind population varied approximately from 0.3 per 1,000 of general population in New Jersey to approximately 1.4 per 1,000 in New Mexico. While the rates may be questioned as too low, the differences may nevertheless suggest considerable variation in the incidence of blindness geographically. Furthermore, the average age of blind persons was older than the average age of the general population; 45 per cent were over 65 years of age while only 4.5 per cent of the general population were over 65 years. Moreover, less than 15 per cent of the 63,489 blind persons in 1930 were gainfully employed, and only a few of this 15 per cent were entirely self-supporting.[2]

Harry Best found in his study completed in 1934 that only a small number of the blind are able to earn a living by their own efforts, and that

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[1] Harry Best, Blindness and the Blind in the United States (New York: The Macmillan Co., 1934), p. 155.

[2] U. S. Congress, Senate Committee on Finance, The Social Security Act, Senate Report 628, to accompany H. R. 7260, 74th Cong., 1st Sess. (Washington: Government Printing Office, 1935), pp. 10-14.

the majority have to depend ypon outside help.[1] Also it must be remembered that a large portion of the blind are old, or become blind late in life. Many are too old to learn new skills and because of blindness cannot pursue their old trades. In addition, many blind persons have additional infirmities which increase the difficulty of securing and maintaining employment. On the whole, it was evident in the 1930's that the outstanding problem of the majority of blind people was an economic one.[2]

At the present time blindness is recognized as predominatingly a problem of old age and as being most prevalent among the low income groups.[3] Even without these additional handicaps blindness creates a special and appealing group; blind children are especially appealing to Congress and to society as a whole. In the first place, a blind person is usually not considered at fault nor to blame for his misfortune. Furthermore, most of the advances in medicine which have been made to counteract blindness are in the preventive field and accordingly are useless after blindness occurs. In the second place, it is generally believed that blindness per se obviously eliminates, or at least reduces, the opportunities for employment and intellectual pursuits. Perhaps more important than these limitations is the fact that most of society's means of communication are visual, and thus blindness, as everyone knows, is a severe handicap in all phases of social living. There is perhaps no area where blindness is more handicapping than in earning a living. Even if the

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[1]Best, op. cit., p. 257.

[2]"Blind," Encyclopedia of the Social Sciences, II (New York: the Macmillan Co., 1930), 587.

[3]"Blind," Social Work Year Book, 1945, p. 46

blind were assured economic security, however, many special services would be needed by the blind. It is no wonder that a blind person receives the compassion of society as a whole. The blind have been involuntarily handicapped and this handicap limits their personal and social life even though they might employ substitutes for what is real and normal to others. However, the compassion of others becomes unjust and improper unless it acts as a stimulus for the formulation of concreate and scientific programs for alleviating the economic and social problems created by blindness. Verbal expression alone is not sufficient.

While the outstanding problem of blindness has been an economic one, the past state and local programs have handled this problem in varying degrees. The almshouses were used most frequently until the present century. In some localities outdoor relief was used. Some states established homes, work shops, and schools for the blind. However, none of these earlier methods of care reached all blind persons. In more recent years a number of states have enacted legislation granting pensions to blind individuals. Most of these, however, were under the inefficient direction of the county and lacked careful supervision by the state.

Perhaps the most outstanding federal law which affected blind people was the Social Security Act. Title X of this Act provided for matching of federal funds with state funds for the needy blind. This was a step forward in correcting the weaknesses of the state programs. To receive federal money the state is required to have a statewide program, with state supervision or administration and with financial participation by the state in the program. Furthermore, this act might be interpreted as evidence that the leaders of the blind and Congress shared the opinion that federal assistance is necessary and

proper for this handicapped group.[1]

Before the Social Security Act, the federal government had granted pensions to blind veterans. However, this subject is not included in this study as veterans' legislation belongs to a restricted group and affects only a small portion of the total blind population. Furthermore, blind veterans receive federal aid primarily because they are disabled veterans and not primarily because they are blind.

In summary it is noted, that through the years there has been an absence of an accurate enumeration of the total number of blind persons in the United States, but that despite this fact some of the authorities on the problem of blindness agree that the trend of blindness is downward. Furthermore, it is noted that the most common problem accompanying blindness is economic dependency, and that the past attempts by local and state governments to care for the blind have not reached all blind individuals who were in need. Although an accurate count of the total blind population is not an easy taks, its absence might be significant in relation to the past inadequate programs for the care of the blind. The fact that blind people constitute a special and appealing group from the very nature of their handicap and resulting needs, and that they have gained national recognition in response to their appeal and needs, is evidenced by the federal legislation which has been passed in their behalf.

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[1] For further discussion of the Social Security Act and its amendments, the reader is referred to a former study on aid to the needy blind in the United States, Roderick Stebbins, "History of Cash Grants and Judicial Decisions Regarding Aid to the Needy Blind in the United States" (Unpublished M.A. field study, School of Social Service Administration, University of Chicago, September, 1943).

## CHAPTER II

## FEDERAL LEGISLATION TO PROMOTE THE EDUCATION OF THE BLIND

In order to understand clearly the role of the federal government in the education of the blind, it is necessary to consider first the most important groups interested in promoting the education of the blind and the problems and objectives of these groups which gave impetus to federal legislation, and second, the history and provisions of the federal laws which resulted from the action of these groups. The federal laws, which promote the education of the blind, might be considered in three groups: first, those laws which have granted assistance to the American Printing House for the Blind for the benefit of the blind pupils in the state schools for the education of the blind; second, those laws which have granted assistance to the Library of Congress for the benefit of adult blind readers; and third, those laws which have facilitated the distribution of reading matter for all blind readers by decreasing, and in certain instances eliminating, the transportation costs.

The first notable attempt to educate the blind in the United States began with the organization of state schools for the blind. The first state school for the blind, which later became known as the Perkins Institution and the Massachusetts School for the Blind, was founded in 1832 in Boston, Massachusetts.[1] By 1858 twenty state schools for the education of the blind

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[1] Harry Best, Blindness and the Blind in the United States (New York: The Macmillan Co., 1934), pp. 308-9.

had been established. The progressive leaders in these schools saw the need for a central printing house to print books to be used by their blind pupils. It appeared that this was an outstanding need since a central printing house would not only decrease the cost of text-books but, with proper supervision, would make available the best grade of embossed printing. Both a decrease in the cost and an improvement in the quality of text-books were necessary to raise the standard of education in the schools for the blind.

Through the efforts and planning of these leaders as well as lay individuals interested in advancing the education of the blind, the American Printing House for the Blind was estanlished in 1858 in Louisville, Kentucky. The plan, at that time, was that the states were to finance the printing house and in return were to receive books to be used in their schools for the blind.[1] Several states did appropriate funds to purchase equipment for the printing house and to pay for books to be used by their blind pupils, but with the outbreak of the Civil War most of these funds became unavailable.[2] Actually, the only money received by the American Printing House for the Blind came from three states, Delaware, Kentucky, and New Jersey, and was used to purchase equipment, and to supply books to the schools for the blind in these three states from 1869 to 1879.[3] It is interesting to note that the American Printing House for the Blind was established as a private institution, but on a non-profit basis and,

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[1] U. S. Congress, House Committee on Education, To Amend the Act, as Amended, Providing Additional Aid for the American Printing House for the Blind, Hearings on H. R. 4582, 75th Cong., 1st Sess. (Washington: Government Printing Office, 1937), p. 3.

[2] 20 U. S. Statutes at Large 467 (1879).

[3] Ibid.

as mentioned, was to be financed by the states for a welfare purpose. Its establishment was made possible by the State of Kentucky donating the site and buildings, and appointing seven trustees "with the avowed purpose of printing books and making apparatus for the instruction of the blind in the United States, for general distribution, for the sake of philanthropy, and with no desire for pecuniary gain."[1]

When the original plan for the establishment of the American Printing House for the Blind was not successful because the states were unable to provide the necessary funds for its operation on a national basis, the leaders in the schools for the blind turned to the federal government for assistance. The American Association for the Instruction of the Blind, which met in Philadelphia in 1876 and which represented twenty-six public institutions for the education of the blind, was responsible for calling the attention of Congress to the purpose of the American Printing House for the Blind and to that fact that, if this institution was to become national in scope, it needed more support than was available through the states.[2] This organization, which represented the public institutions for the education of the blind, indirectly represented the blind pupils in these institutions. Therefore, the American Association for the Instruction of the Blind represented a group which had emotional appeal. In the first place, the blind pupils were greatly deprived by the loss of eyesight and were looked upon with compassion by other members of society. In the second place, the blind pupils were dependent upon the public schools for the blind for training and education. Furthermore, text-books with raised type were necessary for instruction, and apparently the American Printing House

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[1] Ibid., pp. 467-68.

[2] Ibid., p. 467.

for the Blind was the only existing facility capable of supplying embossed text-books to all the schools for the blind. This seemed to be the thinking of the leaders in the schools since their petition to Congress stated that the federal government could best help in promoting the education of the blind by increasing the means of the American Printing House for the Blind.[1]

The Congressional Act of 1879, which was the first legislation passed by Congress to promote the welfare of the blind and which provided for $10,000 in annual federal subsidy to the American Printing House for the Blind, was the answer of Congress to the appeal from these leaders. Furthermore, it marks the first recognition by the federal government that the education of the blind was of national importance.[2]

It is not surprising that the first federal legislation for the blind was in the area of education for two reasons. In the first place, the states had developed state schools for the blind and their leaders were united in seeking federal assistance. In the second place, it was not a new experience for the federal government to appropriate funds to promote the education of its citizens as it had previously given grants of land and money to the states for agricultural and state colleges. However, as pointed out below, the Act of 1879 was unusual in that it provided for money earned on federal investment to be used instead of providing an outright grant from the public treasury.

According to the provisions of the Act of 1879, the Secretary of the

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[1] Ibid.

[2] Ibid., p. 468.

Treasury invested $250,000 in federal bonds which paid 4 per cent interest. The interest on the bonds was to be paid, semi-annually, to the trustees of the American Printing House for the Blind by the Secretary of the Treasury, provided the American Printing House for the Blind met certain conditions stated in the Act.[1] In this way the provisions of the Act of 1879 are comparable to the usual federal subsidy of the present century. As the present day federal grants to the states must be expended by the states in a manner approved by the federal government, the federal funds alloted the American Printing House for the Blind were to be used by the American Printing House for the Blind in keeping with certain conditions stipulated by Congress.

The most important conditions to be met by the American Printing House for the Blind were related to the expenditure of the income provided by the Act. All of the income was to be used by the printing house to manufacture books and "tangible apparatus" for instruction and to distribute these books and apparatus to "all public institutions for the education of the blind in the States and Territories of the United States and the District of Columbia."[2] Each institution was to receive books and apparatus according to the ratio between the number of pupils in all the public institutions for the education of the blind. This ratio was to be computed each year, on the first Monday in January, by the American Printing House for the Blind and, after the printing house had received a certified requisition from the superintendent of each institution.[3]

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[1] Ibid.

[2] Ibid.

[3] Ibid.

As revealed in later reports, the American Printing House for the Blind distributed books and apparatus, free of charge, to the public institutions for the education of the blind, and sold books, at cost, to blind readers outside of the institutions.[1] All of this was made possible by the federal contribution. Earlier the states were unable to purchase sufficient books for the blind pupils in their schools, and the blind readers outside of the schools were financially unable to meet the prohibitory cost of reading matter printed for the blind.

Another important condition, stated in the Act of 1879, was that the Secretary of the Treasury was authorized to stop payment to the American Printing House for the Blind if he received "satisfactory proof" that its trustees were not using the income to the best interest of the blind pupils in the schools and of the education of the blind throughout the United States.[2] Thus the authority to administer the Act was placed in the hands of a fiscal officer and, furthermore, the program responsibilities were not clearly defined.

In addition to the above conditions, there were other provisions in the Act which related to the bonding of the treasurer and to the reporting of expenditures by the board of trustees of the American Printing House for the Blind.[3] It might be pointed out here that, in addition to the annual reports which were required by the Act, the American Printing House for the Blind made yearly reports of its operations to Congress, to the General Assembly of Kentucky, and to the Governors of the various states whose schools for the blind benefited from the federal subsidy.[4] These reports seem significant since the Act itself recognized

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[1] 58 Congressional Record 2317 (June 9, 1919).

[2] 20 U. S. Statutes at Large 469.

[3] Ibid., p. 468.

[4] U. S. Congress, House Committee on Education, To Amend the Act Providing Additional Aid for the American Printing House for the Blind, House Report 1645 to Accompany H. R. 13453, 69th Cong., 2d Sess. (Washington: Government Printing Office, 1926), p. 3.

the education of the blind as a national problem. They increased the number of governing bodies which possessed information on the operations of the American Printing House for the Blind; thus giving indirect information on the state schools for the blind. Furthermore, the reports added assurance that the federal subsidy would be used as intended since they publicized the expenditure of the subsidy. Moreover, they might be interpreted as publicizing the positive value of this type of federal assistance. On the other hand, one might interpret the reports as something of a safeguard for the recipient of the subsidy since they place information in the hands of government officials other than the one administrator appointed by the Act.

A further provision of the Act, which concerned the trustees of the American Printing House for the Blind, provided that the superintendents of the public institutions for the education of the blind be ex-officio members of the board of trustees.[1] This provision seems of considerable importance since it increased the opportunity for co-operation between the manufacturer, the American Printing House for the Blind, and the consumers, the institutions for the education of the blind. Undoubtedly the superintendents of the schools were in a position to know, and to report to the printing house, the type of text-books needed by their blind pupils as well as the latest development in the curriculum of the schools. As this information should be used to improve the kind and quality of printed matter, it should increase the value of the printing house and the standard of education in the schools.

Apparently the Congressional Act of 1879 was satisfactory and met the financial need of the American Printing House for the Blind, for it was not until

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[1] 20 U. S. Statutes at Large 468.

1906 that it was amended for the first time. In this year the interest rate on the United States bonds dropped to 2 per cent, thus threatening a reduction of one-half in the annual income of the printing house. Professor B. B. Huntoon, Head of the American Printing House for the Blind, wrote to one of the representatives from Kentucky to explain the need for continuing the $10,000 annual federal grant.[1] In his letter Professor Huntoon compared the number of blind pupils in the state schools in 1906 to that in 1879, and referred to the advancement in the education of the blind, which had been made possible through the assistance of the federal government. In 1879 there were 2,100 blind pupils in the state schools for the blind, whereas by 1906 this number had increased to 4,400. In other words, the number of students in the public institutions for the education of the blind throughout the country had more than doubled in a period of twenty-seven years. Furthermore, in 1879 there were only about forty embossed books in the country, but through the assistance of the federal government the method of education of the blind had been "revolutionized" as the American Printing House for the Blind had been able to supply embossed text-books for an educational course equal to the elementary and high-school courses. In addition to the great advancement in the number and quality of text-books used in the state schools for the blind, departments for blind readers had been established in the Congressional Library in Washington, D. C., and in more than forty public libraries through the country.[2]

From the above information, although admittedly from a source that might be prejudiced, it appeared that not only had the $10,000 annual federal grant to the American Printing House for the Blind been of great value but that

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[1] 40 Congressional Record 7865 (February 12, 1906).

[2] Ibid.

this institution had used the grant in the best interest of the education of the blind. Accordingly for thirty years the maturity of the bonds which had been invested for the American Printing House for the Blind, and thus insure continuance of 4 per cent interest and a $10,000 annual grant.[1]

The bill was referred to the House Committee on Ways and Means and was immediately reported back favorably and without amendment. The committee stated that a reduction in government contribution "would result in great hardship to those who have unfortunately lost their eyesight, as pupils in the institutions for the blind are obliged to depend upon this benificent provision for proper books in which to prosecute their studies."[2] Futhermore, the committee expressed the opinion that as the government had been assisting the printing house, it should not reduce this assistance by one-hald.

In the brief House debate stress was placed on the fact that no commercial printing house was attracted to printing books for the blind because of the great expense involved. On the other hand, the American Printing House for the Blind avoided a prohibitory price for the books it sold by subtracting the federal contribution from the actual cost of printing. Two-thirds of the members of the House voted for the bill and it was sent to the Senate one month after its introduction in the House.[3]

In the Senate the bill was referred to the Senate Committee on Finance which reported it facorbaly but with an amendment authorizing an indefinite

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[1]U. S. Congress, H. R. 16290, 59th Cong., 1st Sess. See: 40 Congressional Record 3434 (March 6, 1906).

[2]U. S. Congress, House Committee on Ways and Means, Extension of Certain United States Bonds, House Report 2272, to Accompany H. R. 16290, 59th Cong., 1st Sess. (Washington: Government Printing Office, 1906), p. 1.

[3]40 Congressional Record 7862 (June 6, 1906).

annual appropriation of $10,000 to the American Printing House for the Blind, in place of the $10,000 yearly interest from the $250,000 perpetual fund.[1] This amendment by the Senate Committee, which was agreed to by the House, was of importance as it enabled the printing house to receive a permanent grant, unless changed by a later Congress, without reference to the interest rate on federal bonds. Moreover, it might be interpreted as further evidence that Congress recognized the education of the blind as a national problem, and that the federalgovernment could best help by assuring the American Printing House for the Blind of a permanent subsidy. On the other hand, one might have expected, from the information given by Professor Huntoon in his letter to one of the representatives from Kentucky, a request for an additional feral contribution in 1906. This was not made however, and the bill as amended by the Senate Committee on Finance was approved by the President on July 25, 1906.[2] However, as will be seen later, Professor Huntoon had laid the foundation for future increases in federal aid to the American Printing House for the Blind, which came about in the form of amendments to the original Act of 1879.

The American Printing House for the Blind had received $10,000 yearly from the federal government for forty years, first in the form of interest on federal investment from 1879 to 1906 and later in the form of an annual appropriation from 1906 to 1919, when it asked for an increase in the government contribution. During those forty years the number of blind persons, who were largely dependent upon the American Printing House for the Blind for text-books and reading material, had increased fivefold and the cost of labor and materials

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[1] Ibid., p. 8684 (June 18, 1906).

[2] Ibid., p. 9158.

used by the printing house and greatly increased making the $10,000 "shamefully inadequate."[1] The great increase in the number of blind persons and in the cost of printing was the basis for the second amendment to the original Act of 1879, which was introduced by Mr. Ogden of Kentucky in May, 1919, and which provided for the authorization of an annual appropriation of $40,000, in addition to the $10,000 permanent annual grant.[2]

The Ogden bill was referred to the House Committee on Education which reported it favorably after hearing testimony from representatives of several state schools for the blind. The committee recognized the increase in the number of blind pupils and in the cost of printing, and was of the opinion that the additional appropriation authorized by the bill was "modest" and "moderate."[3]

In the House debate opposition was raised, for the first time, to the federal government aiding the American Printing House for the Blind. A representative from Nebraska opposed the appropriation on the basis that it was a subsidy. However, he did not continue his opposition after the supporters of the Ogden bill explained the subsidy to the American Printing House for the Blind. They pointed out that although the printing house was a corporation it had no stock and no one was paid from its treasury except its employees. Furthermore, it would not become a monopoly with a subsidy from the government as the bill simply authorized the appropriation and the printing house had to go before the Committee on Appropriations every year and present its case.[4]

Other opposition, which was voiced in the House debate, was based on the opinion that the economic conditions of 1919 would not last as the country would

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[1]U. S. Congress, House Committee on Education, Additional Aid for the American Printing House for the Blind, House Report 43, to Accompany H. R. 2847, 66th Cong., 1st Sess. (Washington: Government Printing Office, 1919), p. 1.

[2]U. S. Congress, H. R. 2847, 66th Cong., 1st Sess. See: 58 Congressional Record 219 (May 19, 1919).

[3]U. S. Congress, House Committee on Education, op. cit., House Report on H. R. 2847, p. 1.

[4]58 Congressional Record 2317-18 (June 9, 1919).

return to a normal economic level, and that if $10,000 was sufficient in the past it was unnecessary to increase the appropriation at this time. Undoubtedly part of the increase in the cost of printing was because of the economic conditions brought about by the war. However, this type of opposition was not substantiated with factual data as was the basis for the Ogden bill. Mr. Ogden presented figures showing the increase in the cost of essential materials used in printing.[1] Furthermore, the printing of embossed books was more expensive than the printing of ordinary books. An ordinary book which cost 60 cents would cost $6.00 or $7.00 if printed for the blind. This was accounted for by the fact that the size of a book was greatly increased by the raised letters. As an example, the New Testament would make ten or twelve large books if printed with raised letters.[2]

As to the soldiers blinded in the World War, some Congressmen expressed the opinion that blind veterans would be taken care of by vocational educational institutions and that the American Printing House for the Blind should not receive increased appropriations because of the blind soldiers.[3] The proponents of the Ogden bill pointed out that, since the American Printing House for the Blind was responsible for most of the printed literature for blind readers, even the blind veterans were dependent upon this source. This seemed to be the manner in which the opposition was stated and refuted in the House debate. A Congressman expressed opposition, the supporters of the bill presented data to disprove his argument or to explain the need for the increased appropriation to the American Printing House for the Blind, and the opposition was not defended. However it is interesting to note that the one Congressman who strongly opposed the in-

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[1]Ibid. Mr. Ogden compared the cost of materials in 1912 to that in 1918 as follows: brass used for the printing plates had increased from 10 cents per pound to 36 cents per pound; paper had increased from 11½ cents to 17½ cents per pound; and binder boards had increased from $36.00 to $82.50 per ton.

[2]Ibid.

[3]Although blind veterans figured in the debate in 1919, relatively few soldiers were blinded in World War I.

creased appropriation to the printing house and who was in agreement with the opposing arguments was a representative from Texas, the state which had the largest state school for the blind in 1919.[1] He finally asked, in the fact of defeat, that the bill be amended to strike out the word "annually." This was defeated and he proposed another amendment: that the amount of the appropriation be decreased from $40,000 to $20,000. However, the representative from Texas was the only one voting for the decrease and it was rejected.[2]

In defeating the opposition to the Ogden bill the supporters of the bill referred to the contribution of the American Printing House for the Blind and to the importance of books to the blind readers. The importance of books was given emotional stress which was well received by Congress. One representative in mentioning Helen Keller said, ". . . .the most callosed, the most selfish, and the most penurious of men that ever lived must blush in shame when he considers denying others the privilege that that great woman enjoys."[3] The Ogden bill passed the House on the same day. One notes that throughout the history of federal legislation for the blind, the proponents of the various bills gave emotional emphasis to the purpose of their bills and stressed, with compassion, the handicaps caused by blindness. This is seen more clearly in later discussion, as well as the fact that Congress reacted positively to this type of appeal.

In the Senate there was no apparent apposition to the Ogden bill. The Senate Committee on Educatio and Labor, which endorsed the report by the House Committee, reported the bill favorably and without amendment.[4] The Ogden bill,

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[1] Ibid.

[2] Ibid.

[3] Ibid., p. 2319.

[4] U. S. Congress, Senate Committee on Education and Labor, Additional Aid for the American Printing House for the Blind, Senate Report 106 to Accompany H. R. 2847, 66th Cong., 1st Sess. (Washington: Government Printing Office, 1919). p 1

[illegible] in the United States, [illegible] and [illegible] and [illegible] [illegible] [illegible]

which was the second amendment to the original Act of 1879 and which provided the first increase in the federal subsidy to the American Printing House for the Blind, was approved on August 4, 1919, less than three months from the time it was introduced.

In November of the same year this amendment was modified in that the American Printing House for the Blind was required, by legislation, to furnish two copies of each of its publications to the National Library for the Blind, Washington, D. C.[1] This was the only responsibility placed upon the printing house, other than those stipulations included in the original Act of 1879, after the $40,000 increase in annual federal appropriation. In addition to the books to be furnished to the National Library for the Blind, the American Printing House for the Blind had been furnishing, since 1913, one copy of each of its publications to the Library of Congress, but this expense was met by the government and not the printing house.[2] The importance of these two provisions is seen in later discussion of legislation which was enacted to provide books for the adult blind readers.

The American Printing House for the Blind received $50,000 annual federal assistance from 1919 until 1927, when the Act of1879 was amended for the third time. This amendment was introduced in December , 1926, by Mr. Thatcher of Kentucky and provided for an increase of $25,000 in the annual authorization of appropriations to the American Printing House for the Blind.[3] It required less time to become a law than the former amendments and its hearings and committee reports were extremely brief. Furthermore, there was little House debate. This does not seem surprising since the basis for the Thatcher bill was the same as the basis for the

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[1] 41 U. S. Statutes 272 (November 4, 1919).

[2] 37 U. S. Statutes 748 (March 4, 1913).

[3] U. S. Congress, H. R. 13453, 69th Cong., 2d Sess. See: 68 Congressional Record 15 (December 6, 1926).

former amendments and since the former amendments had met with approval when presented to Congress.

As was true in 1919, the need for an increase in government contribution in 1926 was the steady increase in the number of blind pupils in the public institutions for the education of the blind.[1] As the number of pupils increased there was a need for more text-books to be used by the schools and the American Printing House for the Blind was the only recognized source of supply for meeting this need. Moreoverm there was a growth in the use of reading material for the blind outside of the schools.[2] This was the first time that the increase in demand for literature for the blind, other than that used by the schools, was mentioned as one reason for increasing the means of the American Printing House for the Blind, and it is particularly significant since four years later, in 1931, the federal government came to the particular aid of adult blind readers.[3]

The hearing on the Thatcher bill, which was held before the House Committee on Education, consisted mostly of statements and written reports by the superintendent of the American Printing House for the Blind.[4] The superintendent outlined the essential facts of the establishment, maintenance, purposes, and the increasing expenses of the printing house. The House committee's report reviewed the superintendent's statements with a unanimous recommendation that the bill pass without amendment.[5]

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[1]U. S. Congress, House Committee on Education, op. cit., House Report on H. R. 13453, p. 2.

[2]Ibid.

[3]Infra., p. 33.

[4]U. S. Congress, House Committee on Education, To Amend the Act Providing Additional Aid to the American Printing House for the Blind, Hearing on H. R., 69th Cong., 2d Sess. (Washington: Government Printing Office, 1926).

[5]U. S. Congress, House Committee on Education, op. cit., House Report on H. R. 13453, p. 1.

There was no opposition to the bill in the House or the Senate. The Senate Committee on Education and Labor endorsed the House committee's report with the final comment that this bill "was unanimously reported by the House Committee, passed under unanimous consent in the House, and was commended by House Members as one of the most meritorious bills considered by the House."[1] The bill was approved by the President February 10, 1927.[2]

After nearly eighty years of service to the blind pupils and blind readers the American Printing House for the Blind appealed to Congress, in 1937, for its third and, thus far, its last increase in federal subsidy. This was the fourth amendment to the original Act of 1879 and was introduced, as the other three amendments, by a representative from Kentucky. The bill was introduced by Mr. O'Neal in February 1937, and provided for an increase of $50,000 in the annual authorization of appropriation, or a sum of $115,000 in addition to the $10,000 original annual grant, to the American Printing House for the Blind.[3]

This amendment involved more comprehensive hearings and reports, and required a greater period of time to become a law than the former bills. This fact is interesting since ther is no evidence that there was opposition to the bill and only two important questions were asked of the supporters of the O'Neal bill, which might have conveyed some doubt as to the need and wisdom of granting additional federal subsidy to the American Printing House for the Blind. Both questions were asked at the hearing before the House Committee on Education and

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[1]U. S. Congress, Senate Committee on Education and Labor, to Amend the Act Providing Additional Aid to the American Printing House for the Blind, Senate Report 1287, to Accompany H. R. 13453, 69th Cong., 2d Sess. (Washington: Government Printing Office, 1927), p.1.

[2]68 Congressional Record 3436 (February 10, 1927).

[3]U. S. Congress, H. R. 4582, 75th Cong., 1st Sess. See: 81 Congressional Record 1068 (February 9, 1937).

were answered by the superintendent of the American Printing House for the Blind. The first question was in reference to the need of an increased appropriation in 1937. As before, the basic reason for the needed increase in federal assistance was the increase in the enrollment in the public schools for the blind. Table 1 was used by the superintendent of the printing house to show the constant increase in the number of schools and in their enrollment for the preceeding fifty-seven years:

TABLE 1

THE NUMBER AND ENROLLMENT OF PUBLIC SCHOOLS FOR THE BLIND IN THE UNITED STATES, 1880-1937*

| Year | Total Number of Schools | Total Number of Pupils |
|---|---|---|
| 1880..... | 29 | 2,180 |
| 1890..... | 32 | 3,173 |
| 1900..... | 39 | 4,197 |
| 1910..... | 45 | 4,653 |
| 1920..... | 59 | 5,420 |
| 1930..... | 71 | 6,026 |
| 1937..... | 80 | 6,401 |

*Source: U. S. Congress, House Committee on Education, To Amend the Act, as Amended, Providing Assitional Aid for the American Printing House for the Blind, Hearing on H. R. 4582, 75th Cong., 1st Sess. (Washington: Government Printing Office, 1937), 1. 13.

The second question was: Is this method of federal grants to the printing house superior to each state taking care of its own schools?[1] One might womder why this point was not brought up at an earlier date in the history of legislation for the printing house since the question of state versus federal

[1]U. S. Congress, House Committee on Education, To Amend the Act, as Amended, providing Additional Aid for the American Printing House for the Blind, Hearing on H. R. 4582, 75th Cong., 1st Sess. (Washington: Government Printing Office, 1937), p.5.

[illegible] boards of the American Printing House for the Blind, [illegible] in response to the need of an increased appropriation in [illegible]. In fact, the basis reason for the needed increase in federal assistance was the increase in the enrollment in the public schools for the blind. Table I was used by the superintendent of the printing house to show the constant increase in the number in schools and in their enrollment for the preceeding fifty years (1921).

TABLE I

THE NUMBER AND ENROLLMENT OF PUPILS IN SCHOOLS FOR THE BLIND IN THE UNITED STATES, 1880-1937*

| Year | Total Number of Schools | Total Enrollment of Pupils |
|---|---|---|
| 1880..... | 29 | 2,180 |
| 1890..... | 32 | 3,172 |
| 1900..... | 39 | 4,297 |
| 1910..... | 45 | 4,653 |
| [illegible]..... | 51 | [illegible] |
| 1927..... | [illegible] | [illegible] |
| 1937..... | 60 | 6,101 |

*Source: U. S. Bureau, Books Furnished on Contracts, 7th Annual Rep. Act, as Amend d. Provid[illegible]

control has long been a point of much controvery. The superintendent's response, to the inquiry regarding state support and supervision of the state schools for the blind, was as follows:

> That was carefully considered, and that was the effort made up to 1879, but the unusual conditions of the State governments after the Civil War produced such a great crisis in the education of the blind that an effort was made to secure a regularized and dependable supply of books for the blind; and the Government selected the American Printing House for the Blind as the logical agency for the plan. I think this is the first example of free schoolbooks in America. If it had been the practice of each State to make an appropriation for buying books for the blind, we would be faced with a situation where the increased cost in State governments would work to the very great disadvantage of the blind children, and it would be an insufficient and inadequate support.[1]

Other than these two questions the extensive hearing before the House Committee on Education consisted of an elaborate review of the historical development of the American Printing House for the Blind and an analysis of its contribution to the education of the blind of the United States. Although part of this information is repetitious it seems worthwhile to note here, that in 1937 the American Printing House for the Blind was recognized as the largest Braille publishing house in the world and the oldest publishing "institution for the blind in the United States." Furthermore, it was recognized as an answer to the dream of educators in the schools for the blind by developing from a printery of simple test-books to a publishing house of the latest system of raised print and talking records. Moreover, the American Printing House for the Blind, which was established as a private institution, was in every respect a federal institution under the fiscal supervision of the Treasury Department.[2]

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[1] Ibid., p. 6.

[2] Ibid., p. 9

The O'Neal bill was supported, as the former bills had been, by the state schools for the blind and by the American Printing House for the Blind. In addition, it was endorsed by other agencies which had developed through the years to promote the welfare of the blind. Outstanding representatives of these agencies, who were present at the hearing and who endorsed the O'Neal bill, were Robert B. Irwin, executive director of the American Foundation for the Blind, and L. L. Wats, president of the American Association of Workers for the Blind.[1]

Although the hearing was held in March the House Committee on Education did not report its findings until May, when it recommended that the bill be passed without amendment.[2] The bill passed the House the following month.[3] In the Senate the O'Neal bill was reported favorably and without amendment by the Senate Committee on Education and Labor, and the bill passed the Senate, without opposition, in August.[4] It was approved by the President on August 21, 1937.[5]

In summary, one notes that Congress recognized, through the Act of 1879, that the education of the blind was of national concern. Furthermore, Congress recognized, through the amendments to the Act of 1879, the need to increase the federal subsidy to the national printing house which had proven its worthiness in promoting the education of the blind. Moreover, there was no indication, in the legislative records of this Act and its amendments, that anyone directly opposed helping the blind people per se but that the basis of opposition, if any, was in determining methods of aid. However, other acts passed by Congress, which are discussed below, indicate more clearly the role of federal government has accepted in promoting the education of its blind people.

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[1] Ibid., p. 8

[2] U. S. Congress, House Committee on Education, To Amend the Act, as Amended, Providing Additional Aid for the American Printing House for the Blind, House Report 762, to Accompany H. R. 4582, 75th Cong., 1st Sess. (Washington: Government Printing Office, 1937), p. 1.

[3] 81 Congressional Record 5388 (June 7, 1937).

[4] Ibid., p. 8915 (August 14, 1937). [5] Ibid., p. 9679.

The federal government has also given notable assistance in purchasing books for the adult blind, but this type of legislation came much later probably because education for the blind has followed the pattern of general education, for example, schools for children. In 1931 legislation was enacted which provided federal funds to the library of Congress for the purchase of embossed books and periodicals for the adult blind.[1] This legislation was preceeded by a survey, under the auspices of the American Foundation for the Blind, to determine the obstacles in the way of providing books for the adult blind. As noted previously, there had been some provision made for supplying a limited number of books to the National Library for the Blind and the Congressional Library in Washington, D. C.[2] Also departments for blind readers had been established in several public libraries throughout the country. In addition to these facilities, blind readers with sufficient financial means could purchase books at cost from the American Printing House for the Blind. However, it appeared that these provisions were extremely limited and reached only a minority of the total blind population, which was widely scattered throughout the country, and the survey completed by the American Foundation for the Blind in 1930 set forth the problems to be met if books were to be made available to more blind people. These problems, as given in a later House debate, were, first, proper geographical location of distribution centers for the books; second, a fair distribution of the expense involved in supplying the books; and third, an increase in the volume of publications for the blind.[3]

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[1] 46 U. S. Statutes at Large 1487 (1931).

[2] Supra, p. 27.

[3] 74 Congressional Record 6533 (February 28, 1931).

In 1930 three bills were proposed which authorized Congress to appropriate funds for the purchase of embossed books and periodicals for the adult blind. Each of the three, the Pratt, Hill, and Crail bills, designated a different agency or institution for the administration of the expenditure of the money to be appropriated by Congress. The Pratt bill provided for an annual appropriation of $75,000 to the Library of Congress;[1] the Hill bill authorized a $100,000 appropriation to be expended by the National Library Association;[2] and the Crail bill provided for an annual appropriation of $100,000 to the Braille Institute in Los Angeles, California.[3]

The Pratt bill, which was introduced by Mrs. Ruth Pratt, a representative from New York State, was referred to the House Committee on the Library; and the Crail bill, introduced by Mr. Joe Crail, a representative from California, was referred to the House Committee on Education.[4] No further attention is given here to the Hill proposal as it was withdrawn in favor of the Crail bill. However, it is interesting to note that the American Library Association, which would have benefited from the Hill proposal, favored the Pratt bill.

The hearing on the Pratt bil was held before the House Committee on the Library in March 1930.[5] The American Foundation for the Blind was well represented and heartily endorsed the Pratt bill, which was an outgrowth of its survey, and its representatives stated that this bill would meet the defects in the library situation better than any plan which had beed proposed. One of the most

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[1] U. S. Congress, H. R. 9042, 71st Cong., 2d Sess. See: 72 Congressional 72 Congressional Record 2256 (January 23, 1930).

[2] U. S. Congress, H. R. 10935, 71st Cong., 2d Sess. See: 72 Congressional Record 5661 (March 19, 1930).

[3] U. S. Congress, H. R. 9052, 71st Cong., 2d Sess. See: 72 Congressional Record 2256 (January 23, 1930).

[4] Ibid.

[5] U. S. Congress, House Committee on the Library, Books for the Adult Blind, Hearing on H. R. 9042, 71st Cong., 2d Sess. (Washington: Government Printing Office, 1930).

In 1930 three bills were proposed which authorized Congress to appropriate money for the purchase of unusual books and periodicals for the stacks of the Library, the Pratt, Hill, and Ferris bills, designated a different agency or institution for the actual expenditure of the money to be appropriated by Congress. The Pratt bill provided for an annual appropriation of $75,000 to the Library of Congress;[1] the Hill bill authorized a $100,000 appropriation to be expended by the National Library Association,[2] and the Ferris bill provided for an annual appropriation of $200,000 to the Huntington Library in San Marino, California.[3]

The Pratt bill, which was introduced by Mrs. Ruth Pratt, a representative from New York State, was referred to the House Committee on the Library and the Ferris bill, also offered by Mr. Joe Ferris, a representative from California, was referred to the House Committee on Education.[4] No further attention is given to the Hill proposal as it was withdrawn in favor of the Ferris bill. However, it is interesting to note that the American Library Association, which would have benefited from the Hill proposal, favored the Pratt bill.

The hearing on the Pratt bill was held before the House Committee on the Library in March 1930.[5] The American Younkers on for the Blind was well represented and testified, although Mr. [illegible], which he [illegible] the Pratt bill would [illegible] the Congressional Library [illegible] Land [illegible]. The [illegible]

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[1] [illegible]

[2] [illegible]

[3] [illegible]

[4] [illegible]

[5] [illegible]

outstanding personalities present at the hearing was Miss Helen Keller and from her statements endorsing the bill the following was the most impressive:

> Books are the eyes of the blind. They reveal to us the glories of the light-filled world. They keep us in touch with what people are thinking and doing. They help us to forget our limitations. With our hands plunged into an interesting book we feel independent and happy. I ask you to show your gratitude to God for your sight by voting for this bill.[1]

The influence of Miss Keller's stirring words was seen throughout later hearings and House debates, and the supporters of the Pratt bill frequently qoted her, always to the applause of the members of Congress. On the other hand, the opposition stated at the hearing received little attention. A Librarian from a large midwestern city expressed the opinion that the Pratt bill delegated too much authority to the Library of Congress and stated no definite provisions as to how the public funds were to be spent.[2]

Although no report was made to Congress by the House Committee on the Library, a recommendation was made to increase the amount of appropriation from $75,000 to $100,000. Therefore, in April, 1930, Mrs. Pratt introduced a revised bill which provided for a $100,000 appropriation as recommended,[3] and a companion bill was introduced in the Senate by Senator Reed Smoot.[4] The companion bill was reported favorably, without a hearing in the Senate, by the Senate Committee on Education and Labor and passed the Senate with little debate.[5] In the House action was delayed by Representative Crail and three other Congressmen who were

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[1] Ibid., p. 5.

[2] Ibid. Statement by the Librarian of the Cincinnati Library.

[3] U. S. Congress, H. R. 11365, 71st Cong., 2d Sess. See: 72 Congressional Record 6488 (April 3, 1930).

[4] U. S. Congress, S. Bill 4030, 71st Cong. 2d Sess. See: 72 Congressional Record 6226 (April 1, 1930).

[5] 72 Congressional Record 8765 (May 12, 1930).

members of the House Committee on Education. They objected to further action on the Pratt-Smoot bill until their committee had time to hold a hearing on the Crail bill and to "carefully consider all angles of this blind book appropriation."[1] Mrs. Partt's second bill, like her first, had been referred to the House Committee on the Library, which of course reported it favorably, but it did not come before the House for vote for the same reason delaying the bill which had already been passed by the Senate.

The Committee on Education began its hearings on the Crail bill in May.[2] Representative Crail and Mr. J. Robert Atkinson, who was the manager of the Braille Institute of America, were the chief supporters of the bill, while Robert B. Irwin, executive secretary of the American Foundation for the Blind, appeared in opposition. The supporters of the Crail bill emphasized the fact that Mr. Atkinson, who had organized the Braille Institute of America in 1920 and who was himself blind, had not received financial assistance from the State of California nor the federal government and had operated his institution entirely upon the benevolence of wealthy individuals, who were interested in the welfare of the blind. What might be called their second argument for their bill was their interpretation of the policy of the federal government in such matters. They believed that the policy of the government was to encourage competition between institutions and that their bill was in keeping with this policy. On the other hand, they opposed the Pratt-Smoot bill which, in their opinion, would continue the monopoly of the American Printing House for the Blind. The third chief argument held by

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[1] Ibid., p. 9174.

[2] U. S. Congress, House Committee on Education, Books for the Adult Blind, Hearing on H. R. 9052, 71st Cong., 2d Sess. (Washington: Government Printing Office, 1930).

Mr. Crail and Mr. Atkinson was that their bill made provision for the blind readers, assisted by a committee of librarians, to choose their own books, while the Pratt-Smoot bill gave this responsibility to oneperson, the Librarian of Congress.

In addition to these arguments, Representative Crail and Mr. Atkinson expressed other opinions in support of their bill, but these are not considered in detail here as they appeared to be biased accusations and were given without substantiating data. However, as a matter of interest, some of these opinions were as follows: that the American Printing House for the Blind had not been "too honest" and had made profits;[1] that the blind readers favored the Crail bill and that the Pratt-Smoot bill was to please the leaders of the blind and not the blind people themselves; and that the Crail bill was an outgrowth of years of experience in publishing books and had been well planned, while the Pratt-Smoot bill had been formulated over night and rushed through the Senate without a hearing. These accusations were disproved by the supporters of the Pratt-Smoot bill in the House debate, which is discussed below, but in passing it seems wothwhile to note from the evidence on hand, that the American Printing House for the Blind had been under thorough investigation during its existence and had proven its worthiness, that Mr. Atkinson had made no survey to determine the opinion of the blind readers whereas the American Foundation for the Blind, which supported the Pratt-Smoot bill, had carefully studied the needs of the blind people, and that the Pratt-Smoot bill did not have a hearing in the Senate since it had been heard before the House Com-

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[1]Mr. Atkinson included, in his accusations of the American Printing House for the Blind, a story of a spy. A man from Louisville, Kentucky, had come to him seeking employment and later was seen in New York City purchasing equipment, which was similar to that used by the Braille Institute of America, for the American Printing House for the Blind.

mittee on the Library.

At the hearing on the Crail bill, Mr. Irwin explained the thinging and reasoning behind the choice of the Library of Congress as the logical agency for administering the government funds appropriated for supplying books to the adult blind.[1] First of all, Mr. Irwin pointed out the need for more libraries and that the government appropriation would make possible planning of a library system as well as more books. Secondly, the choice of a government agency seemed to be the most practical way and especially the Library of Congress since it had conducted a department for the blind for more than thirty years and had existing relations with libraries for the blind throughout the country. One can understand why this opinion met with the approval of the majority of the Congressmen. Instead of placing the administration of public money in the hands of a private institution it acknowledged an agency which not only had experience but which would be under the supervision of Congress. In this connection Mr. Irwin mentioned that Mr. Atkinson owned the Universal Printing Press, which was a private concern, in addition to managing the Braille Institute of America.

The Pratt-Smoot bill had been reported favorably by the House Committee on the Library, as mentioned above, but the House debate was delayed until after the hearings on the Crail bill. Finally in February, 1931, the Pratt-Smoot bill was debated in the House, and much time and space was given to a review of the record and history of the American Printing House for the Blind, as well as the "noble purpose" involved in such legislation. The accusation that the American Printing House for the Blind had made $30,000 profit[2] and one contract was cleared

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[1] Ibid., p. 6.

[2] Statement by Mr. Atkinson at the hearing before the House Committee on Education.

[illegible] Congress.

A bill similar to the Pratt bill, H. R. [illegible], was introduced in the Senate, but [illegible] the House version of the [illegible] the Senate version [illegible] the government funds appropriated for supplying books to the [illegible] libraries. First of all, Mr. Lewis pointed out the need for more libraries and that the government appropriation would make possible planning of a library system as well as more books. Secondly, the objec[illegible] of a government agency seemed to be the most practical way and especially the Library of Congress since it had conducted a department for the blind for more than thirty years and had marketing relations with libraries for the blind throughout the country. The war emphasized why this position met with the approval of the majority of the Congressmen. Instead of placing the administration of public money in the hands of a private institution it would be in keeping with not only but experience but which would be under the supervision of Congress. In this connection Mr. Lewis mentioned that Mr. Atkinson was the National Braille Press, which was a private concern, in addition to managing the Braille Institute of America.

The Pratt-Smoot bill had been reported favorably by the House Committee on the Library, as mentioned above, but the House debate was delayed until after the hearings on the Smith bill. Finally in February, 1931, the Pratt-Smoot bill was debated in the House, and much time and space was given to a review of the history and history of the American Printing House for the Blind, as well as the "[illegible] involved in such legislation. The assumption that the American Printing House for the Blind had made $50,000 profit[5] and one department was closed

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[illegible], p. 6.

[5]Statement by Mr. [illegible] at the hearing before the House Committee on [illegible].

satisfactorily. The contract in question was awarded the printing house under open bid and the amount received for the contract came from the Veterans' Bureau, and the blind veterans received books free. It was explained that the Act of 1879 did not prohibit profit-making on work done by the printing house, except that printing done for the public institutions for the education of the blind. Since there was no later legislation prohibiting this type of profit-making, one might assume that Congress understood that the institution was entitled not only to outside contracts, but to profit on outside contracts, in order to function for the good of the blind students in the state schools. Several pages were inserted into the record as to the past history and investigations of the American Printing House for the Blind, which were evidence of the printing house operating in the best interest of the blind people of the United States.[1]

The "noble purpose" involved was given much stress by the supporters of the Pratt-Smoot bill, which included among others, the American Foundation for the Blind, the American Library Association, many State Commissions for the Blind, Miss Helen Keller, and several members of Congress. The representatives loudly applauded the statements of emotion which were made in the House debate. The following statement, by one Congressman, is typical of the emotional emphasis given the "noble purpose" involved:

> All of us know in our own circle of acquaintances blind persons to whom the books to be provided by this bill will be the choicest of blessings. I have now in mind an old mother who resides less than two miles from this capitol. Her head

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[1] 74 Congressional Record 6535-39 (February 28, 1931).

[illegible] [illegible] [illegible] [

> is snow crowned. She has raised a large family and has been a good mother. Her eyes, the windows of as sweet a soul as ever graced God's footstool have gone out. At regular intervals a messenger from the Library of Congress delivers at her house a Braille book, and if you could see the light of happiness that comes over her face at such times, as I have seen it, you would have no doubt of the good this legislation will accomplish in lightening and lifting the depression that engulfs the blind.[1]

The result of the House debate was the passage of the Pratt-Smoot bill on February 28, 1931.[2] It was examined and signed by the Senate on March 2, 1931,[3] and approved by the President on the following day.[4] On March 4 the President approved the House Joint Resolution making an annual appropriation of $100,000 to the Library of Congress for the purchase of books for the adult blind.[5]

Although the sponsors of the Act had believed that their phrasing "books for the use of the adult blind" would cover books for the blind in any form, including phonograph records, it was necessary to amend the original Act two years later in order to avoid any question or misunderstanding.[6] This was a step forward in furnishing up-to-date literature to blind readers and was well received by Congress. Apparently it was an accepted opinion that the many blind people who had lost their sight in advanced years found it difficult to learn to read Braille with satisfaction, but they could learn to operate a phonograph machine. There was little opposition to this amendment and this came from those concerns which manufactured Braille books only, which would be expected. The amendment was criticized for not specifying the amount the Librarian should spend for records

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[1] Ibid., p. 6533.

[2] Ibid., p. 6448. S. Bill 4030 was passed in lieu of H.R. 11365.

[3] Ibid., p. 6800

[4] Ibid., p. 6906.

[5] Ibid., p. 7393 (H. J. Res. 528, 71st Cong., 3d Sess.)

[6] 47 U. S. Statutes at Large 1570 (March 4, 1933).

[illegible]

The result of the House debate was the passage of the "Wait-Sweet Bill" on January 28, 1921.[2] It was amended and adopted by the Senate on March [illegible], 1921,[3] and approved by the President — the following day.[4] On April 1 the President approved the House joint Resolution making an annual appropriation of $100,000 to the Library of Congress for the purchase of books for the adult blind.[5]

Although the sponsors of the Act had believed that their phrasing "for the use of the adult blind" would cover books for blind in any form, [illegible] records, it was necessary to amend the original Act two years later in order to avoid any question or misunderstanding.[6] This was a step forward in "making up-to-date literature to blind readers and use well received by them." Apparently it was an accepted opinion that the many blind people who had lost their sight in advanced years found it difficult to learn to read like [illegible] with contractions, but they could learn to operate a phonograph machine. There was little opposition to this amendment and this came from those concerns which manufactured Braille books only, which would be expected. The amendment was criticized for not specifying the amount the Library can afford spend for records

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[2] Ibid., p. 6533.

[3] Ibid., p. 6148. [illegible] 1030 was passed in lieu of U.S. 2126.

[4] Ibid., p. 6800 [illegible] Ibid., p. 6905.

[5] Ibid., p. 7273 (U. S. Tes. 966, Pub Com., 3d Sess.)

[6] [illegible] 1570 (March 4, 1923).

and in response to this criticism the Senate wrote the Librarian of Congress, suggesting that not more than $10,000 be used for records.[1]

There were five later amendments, approximately one every two years, to the original act of 1931, and each of these amendments specified the amounts to be expended for books in raised characters and for sound reproduction records.[2] However, the first of these acts which made any provision regarding the choice of manufacturer of the books and records was the Amendment of 1939, which provided that the Librarian should give preference in buying to non-profit making institutions, whose activities were primarily concerned with the blind, if prices were reasonable.

Through the annual appropriations to the Library of Congress the cost of manufacturing books for the adult blind was met, and books were placed in twenty-seven regional distributing libraries. These distributing libraries, which are supported by local funds, meet the circulation expenses of the books while the federal government meets the cost of manufacturing the books, and it is estimated that the two expenses are about equal. In addition to books the federal government has furnished 23,000 talking book reproducers. These were constructed on Works Progress Administration project under the supervision of the American Foundation for the Blind, and cost more than one million dollars. In addition to the 23,000 machine owned by the federal government there are 5,000 machines owned by blind individuals. If a blind person cannot afford to purchase a reproducer of his own, he is entitled to borrow one from the federal government.[3]

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[1] 76 Congressional Record 5521 (March 3, 1933).

[2] 49 U. S. Statutes at Large 374 (June 14, 1933; 50 U. S. Statutes 72 (April 23, 1937); 53 U. S. Statutes at Large 812 (June 7, 1939); 54 U. S. Statutes at Large 245 (June 6, 1940); 90 Congressional Record 6017 (June 13, 1944).

[3] 90 Congressional Record 4934 (May 23, 1944).

In summary, it appears that the federal government, through the Act of 1931 and its amendments, has assumed the responsibility for supplying a library service to the blind people of the United States. At the present time $500,000 is appropriated annually to the Library of Congress to provide books in raised letter, sound reproduction records, or in any other form, for blind readers.

The task of furnishing literature to the student and adult blind of the United States was not completely accomplished by the above legislations alone. As has been noted before, literature for the blind is much heavier and more bulky than ordinary reading matter. Therefore, the cost of transportation was very great and accordingly increased with the increase of available literature for the blind, and with its distribution. As was true with the cost of manufacturing the distributing reading material, the cost of transportation of reading material was far too expensive to be born by the blind readers, and again the assistance of the federal government was obtained.

The first legislation enacted to facilitate the distribution of literature for the blind was in 1904. This Act provided that reading matter for the blind, which was mailed by public institutions to blind readers or vica versa, should be sent free of postage if it met certain conditions specified by the Postmaster General.[1] In 1912 further legislation was passed which eliminated the weight requirememts of the 1904 Act and provided that literature could be shipped back and forth between the libraries, the public institutions, and the blind readers free of charge if it remained unsealed and contained no advertisement.[2]

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[1] 33 U. S. Statutes at Large 313 (April 27, 1904). The conditions specified by the Postmaster General were as follows: that the reading matter be shipped in single volumes, not exceeding 10 pounds, or packages, not exceeding 4 pounds; and that it be shipped unselaed and contain no advertisement.

[2] 37 U. S. Statutes at Large 551 (August 24, 1912).

In theory, it seems that the Federal government, through the Act of 1931 and its predecessors, has assumed the very capability for supplying a library service to the blind people of the United States. It has granted the Library of Congress annually to the Library of Congress to provide a-ms in raised letter, sound reproduction records, or in any other form, for blind readers.

The task of furnishing literature to the students and adult blind of the United States was not completely accomplished by the above legislation alone. As has been noted before, literature for the blind is much heavier and more bulky than ordinary reading matter. Therefore, the cost of transportation was very great and exceedingly increased with the increase of available literature for the blind, and with its distribution. As was true with the cost of manufacturing the blind, further reading material, the cost of transportation of reading material was far too expensive to be borne by the blind readers, and again the assistance of the Federal government was obtained.

The first legislation enacted to facilitate the free matter of literature for the blind was in 1904. This act provided that reading matter for the blind, which was mailed by public institutions to blind readers or vice versa, should be sent free of postage if it met certain conditions specified by the Postmaster General.[1] In 1912 further legislation was passed which eliminated the requirement of the 1904 Act and provided that literature could be mailed free between the libraries, the public institutions, and the blind readers free of postage if - reading matter - contained no advertisement

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[1] 33 Stat. 313 (April 27, 1904). The conditions specified by the Postmaster General were: that the reading matter be shipped in plain packages, or packages, not exceeding 5 pounds; and that it be delivered free of postage or charge or advertisement.

[2] 37 Stat. 553 (June 8, 1912).

This privilege was extended to periodicals, which charged no subscription fee, by the Act of 1912. In 1924 a special postage rate was extended to volumes of the Holy Scriptures.[1] If Bibles were furnished to the blind free of charge, there was no postage charge, and if they were furnished to the blind at cost price, the postage rate was 1 cent per pound. In 1934 free transportation was afforded to sound reproduction records, and all letters written in raised letters or on records could be shipped as third class mail if unsealed.[2] Accompanying the use of records was the problem of returning the records for repairs, and in 1938 another Act was passed granting the shipment of federally owned records for repairs at 1 cent per pound mailing cost.[3] Thus at required five separate acts and a period of thirty-three years to achieve the present-day franking privileges which grant relief to the tremendous cost of transporting reading material to the blind.

In summary of the above discussion, it is seen that the federal government plays three distinct roles in promoting the education of the blind. In the first place, the federal government provides funds for the manufacture and distribution of textbooks to the blind pupils in the public institutions for the education of the blind. In the second place, the federal government expends funds to purchase books and records to be distributed among the public libraries to be used by blind readers. In the third place, the federal government facilitates the distribution of all reading matter for the blind by granting special franking privileges. Thus through the assistance of the federal government, the education of the blind has been better able to follow the general trend of public education

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[1] 43 U. S. Statutes at Large 668 (June 7, 1924).

[2] 48 U. S. Statutes at Large 678 (May 9, 1934).

[3] 52 U. S. Statutes at large 378 (May 16, 1938).

[illegible] voltage was extended to residential, which charged no subscription fee, by the end of 1912. In 1913 a special postage rate was extended to a number of the [illegible] Bureaus.[1] If Bureaus were furnished by the United Fire of charge, there was no postage charge, and if they were furnished to the wired at cost price, the postage rate was 1 cent per pound. In 1918 free transportation was afforded to wired broadcasting receivers, and all Bureaus written in matter letters or on [illegible] could be shipped as third class mail if unsealed.[2] Accompanying the use of records was the problem of returning the records for repairs, and in 1924 another act was passed permitting the shipment of defectively sound records for repairs at 1 cent per pound including cost.[3] Thus it required five separate acts and a period of thirty-three years to achieve the present-day franking privileges which permitted to the broadcasting industry material to the blind.

In summary of the above statements, it is seen that the federal government plays three distinct roles in promoting the education of the blind. In the first place, the federal government provides funds for the manufacture and distribution of textbooks to the blind pupils in the public institutions for the education of the blind. In the second place, the federal government supplies funds to produce books and records to be distributed among the public libraries to be used by blind readers. In the third place, the federal government franking the distribution of all records, serves for the blind in providing special franking privileges. Thus through the assistance of the federal government, the educators of the blind are [illegible] able to follow the general trend of public education

for the sighted. This is particularly true since the system of public education in the United States has followed a pattern of learning from reading. However, education is only one of the important problems of the blind men and women of the United States, and likewise it is only one of the areas in the welfare of the blind which has been recognized on a national basis.

## CHAPTER III

## FEDERAL LEGISLATION TO PROMOTE THE EMPLOYMENT OF THE BLIND

The history of the most important federal legislation which has been enacted to promote the employment of blind persons in the United States began in 1936 with the passage of the Randolph-Sheppard Act, which provided for vending stands in federal buildings and for surveys of employment opportunities to further the self-support of the employable blind. Under Vocational Rehabilitation Act of 1920[1] the federal government cooperated with the states in providing vocational rehabilitation services. This program had provided a limited amount of vocational training for blind individuals, but the program was not designed primarily for the blind nor was it very effective in promoting the employment of the blind and therefore, it is not considered in this discussion.[2] Prior to the Randolph-Sheppard Act, however, a plan had been worked out in the Post Office Department which enabled blind persons to operate magazine and newspaper stands in Post Office lobbies throughout the country, but this plan was not satisfactory to the leaders of the blind who saw the need for federal legislation if any considerable advancement was to be made in providing employment opportunities for the blind. However, the early attempts to secure federal assistance in promoting the employment of the blind met with criticism and defeat aminly because they provided for

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[1] 41 U. S. Statutes at Large 735-37 (June 2, 1920).

[2] For further discussion of the Vocational Rehabilitation Act of 1920, and its amendments, see: Mary E. Macdonald, Federal Grants for Vocational Rehabilitation (Chicago: University of Chicago Press, 1944).

the creation of a special federal bureau for the work.[1] An analysis of the congressional history of the Randolph-Sheppard Act, as well as a review of the Post Office plan and the unsuccessful earlier attempts to secure action by Congress, is necessary to understand the slow progress made in securing federal legislation to promote the employment of the blind.

The Post Office plan resulted from an executive order, issued in 1933, which transferred 92.7 per cent of all federal buildings to the Post Office Department for administration.[2] It provided for a committee in each community consisting of the Postmaster, a representative from an agency for the blind, and a citizen from the community. This committee recommended one blind person from the community to operate the magazine and newspaper stand in the Post Office lobby.

Although the Post Office plan undoubtedly offered employment to a number of blind persons, the leaders of the blind desired legislation as the best means of promoting the employment of the blind throughout the country. This desire seems wise since any sort of voluntary plan usually does not receive as much support and cooperation as does legislation. Many communities might not share in the Post Office plan and also future officials of the Post Office Department might bot be sympathetic toward the blind people. Furthermore, the Post Office plan was not a very scientific approach to the problem of the employment of the blind. In the first place, there are thousands of large and small post offices throughout the country and it is questionable if all communities which housed a post office would be equally concerned with the welfare of their blind residents. In

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[1]U. S. Congress, Sub-Committee of the House Committee on Labor, To Create Employment Opportunities for Blind Persons in the United States, Hearing on H. R. 4688, 74th Cong., 1st Sess. (Washington: Government Printing Office, 1935), p. 6.

[2]U. S. Congress, A Sub-Committee of the House Committee of Labor, op. cit. Hearing on H. R. 4688, p. 33.

the second place, the Postmaster became custodian of his Post Office under the executive order of 1933 and he, especially as a member of the committee, might use his influence for personal reasons rather than in the interest of the blind operators. Apparently because of the existing Post Office plan, however, the most outstanding of the early attempts to secure action by Congress placed the administration of such legislation in the hands of the Post Office Department.

Representative Mathew Dunn of Pennsylvania, who was recognized for his exhaustive studies of methods to help the blind people and who was himself blind, introduced a bill in 1933 which provided for licensing of blind persons to operate concession stands in federal buildings and for a new bureau of welfare to be established in the Post Office Department to cooperate with organizations for the blind for the purpose of placing blind individuals in stands in federal, state, county, and municipal buildings.[1] Despite the fact that Congressman Dunn's bill was supported by many organizations and individuals interested in bettering the lot of blind people, and that apparently it would have helped a great deal to increase the employment opportunities for the blind, the bill died in the House Committee on the Post Office and Post Roads.[2] It appeared that the Post Office

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[1]U. S. Congress, H. R. 5694, 73rd Cong., 1st Sess. See: 77 Congressional Record 3776 (May 19, 1933).

[2]U. S. Congress, Sub-Committee Number 3 of the House Committee on the Post Office and Post Roads, To Create a Bureau of the Blind in the Post Office Department and to Provide Licenses to Blind Persons to Operate Stands in Federal Buildings, Hearing on H. R. 5694, 73rd Cong., 3rd Sess. (Washington: Government Printing Office, 1934), pp 1-12. Among those appearing at the hearing and endorsing the bill were the following: Hon. Martin L. Sweeney, a representative from Ohio; Leonard A. Robinson, a blind attorney and a representative of the Citizen's Welfare Sightless Committee of Cleveland, Ohio; Maj. Paul W. York, a blind resident of N. Y. City; Wade H. Mitchell, represetative of the District of Columbia Association of Workers for the Blind; Ralph H. Campbell, Exec. Secretary of the Columbia Polytechnic Institute for the Blind, Washington, D. C.; Glen H. Hoffman, representative of the Welfare Assic. of the Sightless of Ohio; and Mrs. Charlotte E. Hunter, representing the Harrie Tubman Aid for the Blind. In addition the State of Ohio passed a resolution endorsing the Dunn proposal, which was recorded in the record of the hearing, and affirmatory letters were received by the House Committee from the Braille Institute of America and the Braille Musical Club of Chicago. It is noted, however, that two of the well-known and highly recognized agencies for the blind were not represented, namely the American Foundation for the Blind and the American Association of Workers for the Blind.

[illegible] place, the Postmaster General's [illegible] of his post office made the [illegible] under of 1933 and he, especially as a member of the committee, might see [illegible] for personal reasons rather than in the interest of the blind operators. Apparently because of the existing Post Office plan, however, the most outstanding of the early attempts to secure action by Congress placed the administration of such legislation in the hands of the Post Office Department.

Representative Matthew Sloan of Pennsylvania, who was recognized for his humanitarian studies of methods to help the blind people and who was himself blind, introduced a bill in 1933 which provided for licensing of blind persons to operate concessions stands in federal buildings and for a new bureau of welfare to be established in the Post Office Department to cooperate with organizations for the blind for the purpose of placing blind individuals in stands in federal, state, county, and municipal buildings.[1] Despite the fact that Congressman Sloan's bill was supported by many organizations and individuals interested in bettering the lot of blind people, and that apparently it would have helped a great deal to increase the employment opportunities for the blind, the bill died in the House Committee on the Post Office and Post Roads.[2] It appeared that the Post Office

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[1] [illegible] Committee, 74th Congress, 1st Sess. Act IV Congressional Record, 5776 (May 14, 1935).

[2] U. S. Congress, Sub-Committee Number 3 of the House Committee on the Post Office and Post Roads, To Provide a Bureau of the Blind in the Post Office Department and to Provide Licensing to Blind Persons in Use of Stands in Federal Buildings, Hearing on H. R. 5291, 73rd Cong., 2nd Sess. (Washington: Government Printing Office, 1933), pp 1-12. Among those appearing at the hearing were members of the bill were the following: Hon. Martin L. Sweeney, a representative from Ohio; [illegible] Hanson, a blind attorney and a representative of the Citizen's Welfare Rights Committee of Cleveland, Ohio; Mr. Paul W. York, a blind resident of N. Y. City; [illegible] of the District of Columbia Association of Workers for the Blind; [illegible] Brown, Secretary of the Columbia Polytechnic Institute, Washington, D. C.; Dean H. Horton, representative of the National Association of the Blind; Miss Charlotte C. Winter, representing the Harvard Aid for the Blind; in addition the State of Ohio passed a resolution endorsing the Sloan proposal, which was reported in the record of the hearing, and also Congressman Lehlbach read a letter from the Braille Institute of America and the Braille Mission of [illegible]. It is noted, however, that two of the [illegible] agencies for the blind were not represented, namely the National Council for the Blind and the American Association of Workers for the Blind.

Department favored its own system, if any, and was not interested in the blind Congressman's proposal. This same lack of interest and support on the part of the officials of the Post Office Department is seen in the congressional history of the Randolph-Sheppard bill. This is to be expected, however, since the functions of the Post Office Department are alien to social welfare and employment questions, and to the welfare of the blind and other handicapped groups. In this respect it is noted that the sponsors of the Randolph-Sheppard Act were careful to choose a department of the federal government which was concerned with related programs.

It seems worthwhile to mention here that there might have been other conditions which contributed to the delay of the federal government in acting to promote the employment of blind people. In the first place, many blind persons are unemployable and the general opinion of the public at large, in the past, appears to have been that blindness spells economic dependency. This is noted particularly when one examines the earlier programs by the state and local governments to care for their blind people. Although some progress was made in aiding the blind to become more independent through state and private industrial establishments and workshops for the blind, there was little done to understand blind persons as individuals and to train them for remunerative employment. In view of the unemployability of many blind persons and the general public opinion, it seems plausible to expect that the employment of the blind would not be received with as much interest by Congress as the education of the blind, especially the blind child. In the second place, the earlier appeals to Congress, such as the Dunn proposal, were made in the interest of the blind only and as might be expected these appeals were opposed on the basis that they created class legislation. This second point is clarified as one studies the congressional history of the Randolph-Sheppard Act.

In January, 1935, a bill to create employment opportunities for blind

persons was introduced in the House by Jennings Randolph,[1] a representative from West Virginia, and in March a companion bill was introduced in the Senate by Senator Morris Sheppard.[2] The House bill was referred to a sub-committee of the House Committee on Labor and the hearing, which lasted for three days, was held in March.[3]

At the hearing, Mr. Randolph summed up the proposed bill in five parts and although this summary seems incomplete and poorly stated in terms of understanding the whole bill, it is given here as it appears to "highlight" the provisions in the order of their importance as judged by the sponsors of the bill. Further provisions of the bill which were not included in Mr. Randolph's summary are discussed here in connection with the progress of the bill through Congress. First, the bill provided for the establishment of stands in federal buildings which would encourage the blind to work toward self-support and for licenses to be issued by the Office of Education under the direction of the Commissioner of Education.[4] Second, it provided for a survey of concession stand opportunities for the blind and a survey of industries to secure information for assisting the blind in obtaining employment. Third, the information gotten through the surveys was to be made public, especially to interested individuals and organizations. Fourth, it provided that the licenses issued to the blind for the operation of the stands should be subjected to the approval of the custodian

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[1] U. S. Congress, H. R. 4688, 74th Cong., 1st Sess. See: 79 Congressional Record 958 (January 24, 1935).

[2] U. S. Congress, S. 2196, 74th Cong., 1st Sess. See 79 Congressional Record 3180 (March 8, 1935).

[3] U. S. Congress, Sub-Committee of the House Committee on Labor, op. cit. Hearing on H. R. 4688.

[4] At that time the Office of Education was in the Department of the Interior but it was transferred to the Federal Security Administration by the Reoganization Plan of 1939. 53 U. S. Statutes at Large 1424 (July 1, 1939).

[illegible] was introduced in the House by Representative Randolph,[1] a representative from New Jersey, and in March a companion bill was introduced in the Senate by Senator Morris Sheppard.[2] The House bill was referred to a subcommittee of the House Committee on Labor and the hearing, which lasted for three days, was held in March.[3]

At the hearing, Mr. Randolph summed up the proposed bill in five parts and although this summary seems incomplete and poorly stated in terms of understanding the whole bill, it is given here as it appears to "highlight" the provisions in the order of their importance as judged by the sponsor of the bill. Certain provisions of the bill which were not included in Mr. Randolph's summary are discussed here in connection with the progress of the bill through Congress. First, the bill provided for the establishment of "units in federal buildings which would encourage the blind to work toward self-support and for licenses to be issued by the Office of Education under the direction of the Commissioner of Education."[4] Second, it provided for a survey of occupations which committees for the blind and a survey of industries to secure information for assisting the blind in obtaining employment. Third, the information gotten through the surveys was to be made public, especially to interested individuals and organizations. Fourth, it provided that the licenses issued to the blind for [illegible]

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[1] [illegible]

[2] [illegible]

[3] [illegible]

[4] [illegible]

of the building. Fifth and last, the bill gave permission for any necessary steps to carry out the above provisions.[1]

The experiences and opinions expressed at the House hearing by representative of agencies for the blind which sponsored the Randolph-Sheppard Act are significant in understanding the formulation of the provisions of the Act. Among the many sponsors of the bill were the American Foundation for the Blind, the Citizens' Welfare Sightless Committee of Cleveland, the Columbia Polytechnic Institute for the Blind of the District of Columbia, and the Lions Club of the District of Columbia.[2]

The American Foundation for the Blind, which had made various contributions to the welfare of blind people, had been active in seeking new employment opportunities and had found that the operation of small businesses such as concession stands was one of the best opportunities.[3] Apparently the basis for this conclusion was that blindness is not the only limitation to consider but that it is also necessary to consider the lack of confidence on the part of the seeing public. In most occupations the blind are required to convince others of their productive ability. The major problem in operating a concession stand, however, is to sell the merchandise.

Mr. J. F. Clunk, who in 1936 was National Supervisor of Industrial Employment for the Canadian National Institute for the Blind and who was later to have charge of the work under the Randolph-Sheppard Act, wrote to Mr. Randolph endorsing the plan for placing blind persons in concession stands.[4] In his letter

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[1] U. S. Congress, Sub-Committee of the House Committee on Labor, op. cit., Hearing on H. R. 4688, p. 3.

[2] Ibid., pp. 4 ff.

[3] Ibid., p. 13.

[4] Ibid., p. 4.

Mr. Clunk states, "There is no form of employment as suitable and as satisfactory for the blind person possessing business ability as the operation of refreshment stands in public buildings, industrial plants, etc."[1] Furthermore, he expressed the opinion that this form of employment is a normal business and "far superior" to special workshops, except for those blind persons who require sheltered working conditions.

The Citizens' Welfare Sightless Committee of Cleveland, Ohio, was represented at the hearing by Mr. Leonard A. Robinson, a blind attorney. Mr. Robinson had assisted with the drafting of the Randolph-Sheppard bill and was very active at the hearing.[2] He pointed out the chief criticism to earlier measures proposed in Congress which provided for the operation of vending stands in federal buildings by blind persons. As noted previously, the chief criticism in the past had been that such legislation created a special federal bureau and that if such a project was to be established it should be placed in the hands of an existing federal agency already equipped to administer it. Therefore, the Randolph-Sheppard bill placed the responsibility of administration in the Office of Education which was then responsible for administering federal grants to the states for vocational rehabilitation. The advocates of the bill had investigated and had found that the officers in the state boards for vocational education were willing to cooperate with the Commissioner of Education and the State Commissions for the Blind in carrying out the proposed provisions.[3]

On the other hand, it appeared that the state commissions and the private agencies for the blind might have some conflict provided that the Office of

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[1] Ibid.

[2] Ibid., pp. 8, 9, 10, 13, 19, 45, 48.

[3] Ibid., p. 9.

[illegible]

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[illegible]

Education should designate one agency in each state to issue licenses to the blind operators. Regarding this problem, the advocates of the Randolph-Sheppard bill agreed that each state should cooperate with the Commissioner of Education with the best interest of the blind people as the basis for all planning.[1] If this was to be a future problem to be met in the states, which it appeared to be, one might wonder why the leaders for the blind, who were well represented at the hearing, did not discuss it further at that time. However, from the discussion it was apparent that if the blind people throughout the country were to benefit from the provisions of the Randolph-Sheppard bill it was imperative that one agency for the blind each state, supported by all the other agencies for the blind in that state, work directly with the Office of Education.

The Columbia Polytechnic Institute of Washington, D. C., was an ardent sponsor of the Randolph-Sheppard bill and its representatives were able from experience to aid in drafting the bill. This agency had a similar plan of its own which had been in operation since March 1934. However, the representatives of the Columbia Polytechnic Institute disagreed with section one of the Randolph-Sheppard bill which made "mandatory" the operation of stands by blind persons.[2] In their experience they had found handicapped individuals other than the blind who could not find employment and also that in certain instances a blind person could not operate a stand alone. Another finding by this agency was that although ability and experience were valuable assets, it was not necessary that an operator have had similar experience. The stand operators in the District of Columbia were not charged rent for the location of their stands. They were al-

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[1] Ibid.

[2] Ibid., pp. 21-26.

lowed to retain all profit from the sale of articles and averaged from $25.00 to $50.00 weekly net profit. The most tedious task which the Institute had met was securing permits for the location of the stands and for the articles to be sold. This required much time and patience as it was necessary for a member of the Institute to make contact with the managers, superintendents, and department chiefs of the buildings in which the stands were located.[1]

The Executive Secretary of the Polytechnic Institute was accompanied at the hearing by four blind operators who testified before the House Committee. Two precautions concerning the operators and the customers, which were revealed by their testimony and which are of interest to the reader, were that articles for sale such as sandwiches were always made by a sighted person and that a blind operator made change for one-dollar bills only to avoid dishonesty and confusion.[2]

The last major group, which sponsored the Randolph-Sheppard bill and which was represented at the hearing, was the Lions Club of Washington, D. C. This organization had had a committee on the blind active in studying the employment opportunities of the blind. This committee had assisted Mr. Randolph, and the others, in preparing the bill which was introduced in Congress.[3]

While these groups were probably the most influential in drafting the Randolph-Sheppard Act and in securing its passage there were others which were represented at the hearing and which favored the purpose and aim behind such legislation. A representative from the International Harvester Company of Washington, D. C., expressed the opinion that this type of legislation would encourage industry to cooperate in the rehabilitation of the blind.[4] This opinion seems

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[1] Ibid., pp. 26-28.

[2] Ibid., pp. 28-29.

[3] Ibid., p. 30.

[4] Ibid.

[illegible] of [illegible] and averaged from $[illegible].00 to [illegible] per week. The more testimony that which the Institute had met was [illegible] for the location of the stands and for the erection to be paid. The [illegible] was this and proceeded as it was necessary for a number of the Institute to make contact with the managers, superintendents, or department officers of the buildings in which the stands were located.[1]

The Executive Secretary of the Polytechnic Institute was requested at the hearing by four different operators who testified before the House Committee, the precautions concerning the operation and the statements, which were revealed by their testimony and which are of interest to the reader, were that activities for girls must be supervised more closely by a qualified person and that a clinic operator made change for crowded or billiards only to avoid dishonesty and confusion.[2]

The last major group, which promoted the Burdick-Sheppard bill and which was represented at the hearing, was the Liquor Club of Wayne County. This organization had been a committee on the Michigan society in studying the employment conditions of the blind. This committee had selected Mr. Burdick, and the others, in preparing the bill at hand was introduced in Congress.[3]

While these groups were probably the most influential in drafting the Burdick-Sheppard Act and in securing the passage there were others which represented at the hearing and which favored the measure and also [illegible] such legislation. A representative from the Veterans Bureau of Detroit in [illegible] D. C., expressed the opinion that this type of legislation would encourage the [illegible] in the rehabilitation of the blind.[4] This opinion seems

logical since concession stands are used in industrial plants, and if blind operators proved their ability to perform this type of employment in federal buildings it would be a selling point for winning the cooperation of industrial management. However, Congressman Dunn, who was present at the hearing, did not let the representative of the International Harvester Company "get away" with this statement only. He pointed out, by questioning the representative, that while management was sympathetic to the cause of the blind it had done little in its own plants to provide employment for blind persons.[1]

Other organizations represented were the Brotherhood of Locomotive Firemen and Engineers, the American Federation of Labor, and the Daughters of America.[2] While the comments of their representatives were little more than an endorsement of the principle envolved, their presence and interest undoubtedly influenced the reaction of Congress to the Randolph-Sheppard bill.

The question of constitutionality was raised at the House hearing. Would the constitutionality of the Randolph-Sheppard bill be questioned on the basis of class legislation and would the Presidents of the United States sign the bill if it passed Congress?[3] As one might expect, the advocates of the Randolph-Sheppard bill referred to the fact that six billion dollars was being spent for the employment of millions under the Works Progress Administration. Furthermore, they held that there was discrimination in this program since the blind could not go out and build roads and bridges. This point was stressed to

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[1] Ibid.

[2] Ibid., p. 42.

[3] Ibid., p. 15.

substantiate section three of the bill which provided federal assistance to meet the expense of vending stand equipment. In this connection one notes that the Emergency Relief Appropriation Act of 1943 included a special provision for the blind.[1] This Act provided that the blind employees of the Work Projects Administration should be exempted from the eighteen months "continuous employment lay-off." This seems significant since the blind were the only group, other than the veterans, who were entitled by federal legislation to this privilege. Furthermore, it might be indicative of the organization and influence of the groups concerned with promoting the welfare of the blind as well as the growth in national attention given to the problem of the employment of the blind.

In reference to the question as to whether the President would sign the Randolph-Sheppard bill if it passed Congress, Mr. Robinson reported that he had spoken personally with President Roosevelt and that the President was not only in sympathy with the welfare of the blind people but he favored the blind operating stands in federal buildings.[2] In addition, there had been executive orders issued in the past which granted permission to certain individuals to operate stands in federal buildings and which might be interpreted as further evidence that the President would favor the Randolph-Sheppard bill. However, anything similar to an executive order was not what the leaders of the blind desired as it could be too easily revoked and, as mentioned previously, any plan to best serve the welfare of the blind should be in the form of legislation.

In this connection is is significant to note the opposition voiced by Smith W. Purdum, Fourth Assistant Post Master General, who was present at

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[1] 56 U. S. Statutes at Large 634 (July 2, 1942).

[2] U. S. Congress, A Sub-Committee of the House Committee on Labor, op. cit., Hearing on H. R. 4688, p. 18.

[illegible] [illegible] [illegible] [

the hearing. Although Mr. Purdum approved the bill, he stated that he saw no need for the surveys provided by the bill and that the plan operating in his department seemed successful.[1] While one might expect Mr. Purdum to be prejudiced on this matter, it does seem that his opposition makes good argument for the legislation under consideration. In the first place, the plan for surveys of employment opportunities for the blind if backed up by sufficient appropriations was one of the most important and progressive provisions of the Randolph-Sheppard bill. It provided means for a scientific and intelligent approach to alleviating the unemployment of the blind. One might add that in this respect the Randolph-Sheppard Act was superior to certain past proposals for the blind which had claimed the attention, and in some instances the approval, of Congress. In the second place, the choice of the Office of Education, with its vocational division as administrator of the provisions of the Act appeared to be based upon sound investigation and logical thinking. Apparently at that time it was the best equipped agency of the federal government for this task, especially since public and official opinion disapproved the creation of a new bureau.

The strongest opposition to the original bill as introduced by Mr. Randolph related to section one which made mandatory the operation of stands by blind persons. In addition to the Columbia Polytechnic Institute[2] the Secretaries of the Department of Interior, Labor, and Treasury wrote to the House Committee opposing this part of the bill. However, the House Committee reported the bill favorably without amendment in June.[3]

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[1] Supra., p. 48.

[2] Supra., p. 55. Opposition to section one stated by the representatives of the Columbia Polytechnic Institute.

[3] U. S. Congress, Sub-Committee of the House Committee on Labor, To Create Employment Opportunities for Blind Persons in the United States, House Report 1094 to accompany H. R. 4688, 74th Cong., 1st Sess. (Washington: Government Printing Office, 1935).

the bureau. Although Mr. Pusey introduced the bill, he stated that he saw no need for the concepts provided by the bill and that the plan operating in his department seemed successful.[1] While one might expect Mr. Pusey to be prejudiced on this matter, it does seem that the opposition makes good argument for the legislation under consideration. In the first place, the plan for surveys of employment opportunities for the blind is backed up by sufficient appropriations and one of the most important and progressive provisions of the Randolph-Sheppard bill. It provided means for a scientific and logical approach to alleviating the unemployment of the blind. One might add that in this respect the Randolph-Sheppard Act was superior to certain past programs for the blind which had claimed the attention, and in some instances the approval, of Congress. In the present plans, the choice of the Office of Education, with its vocational division in administration of the provisions of the Act appeared to be based upon sound investigation and logical thinking. Apparently at that time it was the best equipped agency of the Federal government for this task, especially since public and educational opinion disapproved the operation of a new bureau.

The numerous opposition to the original bill as introduced by Mr. Randolph indicated to members who might make mandatory the operation of stands by blind persons. In addition to the Columbia Polytechnic Institute[2] the Secretaries of the Departments of Commerce, Labor, and Treasury wrote to the House Committee opposing this part of the bill. However, the House Committee reported the bill favorably without amendment.[3]

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[1] Hearings, p. 14.

[2] Hearings, p. 15.

[3] Hearings, p. 16. Committee amendments were limited to the representative of the Department of Commerce, Labor, and Treasury.

The bill was not called before the House for vote until March, 1936, as Mr. Randolph was working on clarifying amendments with the approval of the Office of Education. However, nine months seems a long period of time in comparison to the changes made in the original bill. Only two important changes were effected by Mr. Randolph's clarifying amendments. First, the word "required" was changed to read "authorized" throughout the entire bill.[1] Thus it was no longer mandatory that a stand operator be a blind person. Second, a provision was added which required the approval of the government agency having charge of the building as to the location and operation of the stand.[2] This addition would seem to alleviate, especially in the eyes of government personnel, any possible criticism of undesirable location of stands and of undesirable operators. On the same day that Mr. Randolph presented these two changes in the original bill, which he was careful to point out had the approval of the Office of Education, the bill passed the House.[3] Furthermore, there was little House debate and most of the discussion on the Randolph-Sheppard bill was offered by the author, Mr. Randolph.

In the Senate, the Senate Committee on Education and Labor considered the House bill in lieu of the Senate bill which had been introduced by Senator Sheppard.[4] The Senate Committee reported the bill favorably but with amendments.[5] The first amendment provided that the operation of stands should be determined

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[1] 80 Congressional Record 3794-95 (March 16, 1936).

[2] Ibid. [3] Ibid.

[4] U. S. Congress, Senate Committee on Education and Labor, To Create Employment Opportunities for Blind Persons in the United States, Senate Report 2052 to accompany H. R. 4688, 74th Cong., 2d Sess. (Washington: Government Printing Office, 1936).

[5] Ibid., pp. 1-2.

by the head of the department or agency located in the building in which the stand was to be established. In other words, the government agency having charge of the federal building in which a stand should be placed decided if a blind person licensed under the Randolph-Sheppard Act should or should not be the stand operator. This eliminated the question of class legislation as other persons might be appointed as stand operators by the government agency. Furthermore, this one amendment by the Senate Committee combined Mr. Randolph's two amendments.

The second amendment by the Senate Committee deleted section three of the original bill which authorized the Commissioner of Education, with the approval of the Secretary of the Interior, to purchase vending stand equipment for use in the federal and non-federal buildings. It is remembered that this was not a point of controversy in the House. However, when the Bureau of the Budget, which reviews all bills involving appropriations, estimated the cost of vending stand equipment at $75,000, it submitted objections to the Senate Committee. In addition, the Senate Committee received letters of objection from the Secretaries of the Treasury, Interior, and Labor.[1] The basis for the opposition by these various agencies was that such a project would be in conflict with the program of the President. Reference was made to the Social Security Act which contained a provision for the blind. Apparently there was no strong support nor unusual interest in this portion of the bill as the Senate's amendments were immediately approved by the House. The Randolph-Sheppard Act was signed by President Roosevelt June 20, 1936.[2]

In summary of the discussion of the Randolph-Sheppard Act, one notes that it was not produced over-night but that it was the result of studies by agencies and individuals concerned with the welfare of the blind and of previous attempts to

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[1] Ibid.

[2] 80 Congressional Record 9313 (June 20, 1936).

secure federal assistance with the employment of blind people. Furthermore, the Act was not only sponsored by the leading agencies for the blind but a distinct role was played by the agencies of the District of Columbia, one of which had been experimenting with a similar plan. Moreover, there was no direct opposition to the purpose of this legislation. Opposition was directed, however, as possible class legislation and at possible interference or overlapping with other government programs which had been established to further the economic security of the blind.

Since the Randolph-Sheppard Act was the first important federal legislation enacted primarily to promote the employment of blind persons one might expect an over-emphasis on placing the blind as vending stand operators whether or not they are suited for this type of employment. Further research on employment opportunities for the blind, as well as a consideration of individual capacities, seems necessary if any notable progress is made in promoting the employment of blind people.

There has been recent progress made in the vocational rehabilitation program for the blind. In 1943 the National Vocational Rehabilitation Act of 1920 was amended to make special provision for the blind. Two of the chief criticisms of the program up to that time were that little had been done in the field of physical restoration, and that the program had been most inadequate in extending vocational rehabilitation to the blind.[1] The law had placed administration of the vocational rehabilitation on the state boards for vocational education, and no special provision was made for rehabilitation for the blind.

It was first proposed that vocational rehabilitation for the blind be made a federal service, financed by federal funds and administered by a federal

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[1]U. S. Congress, House Committee on Education, Vocational Rehabilitation Act Amendments of 1943, House Report 426, to accompany H. R. 2536, 78th Cong., 1st Sess. (Washington: Government Printing House, 1943), p. 2.

agency. This plan was strongly opposed by representatives of agencies concerned with the welfare of the blind. They favored administration of vocational rehabilitation for the blind by an authorized state agency for the blind. They did, however, favor federal grants to finance the rehabilitation of the blind, but asked that the federal grants be used by the state agency for the blind in administering such a program. This was the plan adopted by Congress.[1]

The Vocational Rehabilitation Act Amendments of 1943 provide that to qualify for federal aid the state plan for administration designate the state board of vocational education as the sole agency for the administration of the vocational rehabilitation in that state, except in states where there is a state commission for the blind, or other authorized agency for the blind, with suthority to provide rehabilitation services, the plan shall provide for administration by such agency of the vocational rehabilitation of the blind.[2] The state board for vocational education is responsible, however, for the total program within the state even though a separate agency administers the program for the blind. There are now thirty-two states in which the vocational rehabilitation for the blind is to be provided by state agencies for the blind and in each of these states it has been necessary to formulate an entirely new program.[3] The Vocationa Rehabilitation Act Amendments of 1943 provide more federal aid than was previously available. The federal government now pays 100 per cent of the cost of administration, and this should enable state agencies for the blind or state boards for vocational education to extend their services to the blind. Provision is also made for federal matching of state expenditures for physical restoration, and this provision should encourage state agencies responsible for rehabilitation of the blind

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[1] Macdonald, op. cit., p. 351.

[2] U. S. Congress, Public, No. 113, 78th Cong., 1st Sess.; approved July 6, 1943.

[3] Federal Security Agency, Office of Vocational Rehabilitation, Annual Report, 1943-44 (Washington: Government Printing Office, 1944), p. 3.

to improve and extend such services. It goes without saying, of course, that alleviation or removal of the handicap is the most effective treatment. Too often blindness has been regarded as hopeless, without cause.

It is encouraging that federal legislation is now being prepared for the purpose of transferring the administration of the Randolph-Sheppard Act from the Office of Education to the new Office of Vocational Rehabilitation.[1] The Office of Vocational Rehabilitation was created in 1943 by agency order in the Federal Security Agency. The Federal Security Administrator is the administrator of the federal grants for vocational rehabilitation which are administered under his direction by the Office of Vocational Rehabilitation which has a special section of Services for the Blind within the Rehabilitation Standards Division.[2] Until 1943 vocational rehabilitation was administered by the Office of Education, and, indeed, the Randolph-Sheppard Act and the National Vocational Rehabilitation Act were both administered by the same division.

Since the vocational rehabilitation program has been developed to a greater degree than any other which is related to the employment and rehabilitation of the blind, it seems only logical to place the administration of the Randolph-Sheppard Act under the Office of Vocational Rehabilitation. One would expect the agencies concerned with the rehabilitation program to be more aware of various employment opportunities for handicapped people, including the blind, than the Office of Education. Furthermore, the vocational rehabilitation program provides medical care which is essential in the rehabilitation of the blind. Moreover, one might consider the economy factor involved. The federal government under the present vocational rehabilitation program reimburses the states for 50 per

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[1] "The Blind," Social Work Year Book, 1945, p. 48.

[2] Federal Security Agency, Office of Vocational Rehabilitation, Annual Report, 1943-44, p. 3.

cent of their expenditures incurred in the administration of the program. Therefore, it would appear that combining the employment opportunities available under the Randolph-Sheppard Act with the vocational rehabilitation program would be in the best interest of the blind.

In addition to the Randolph-Sheppard Act and the Vocational Rehabilitation Act Amendments of 1943 there is one other federal law which might be considered in this discussion on the employment of the blind, that is, the Wagner-O'Day Act of 1938.[1] This Act provided that federal departments purchase "blind-made" products, such as mops, brooms, bed linens, and so forth, at a fair market price. It provided, further for the establishment of a "Committee on Purchases of Blind-Made Products" to determine the price of all such articles purchased by the federal government. This committee was appointed by thepresident and was to serve without compensation. It consisted of seven members, including one private citizen acquainted with the employment problems of the blind; and one representative from each of the following government departments: Navy, War, Treasury, Agriculture, Commerce, and Interior.[2]

The Wagner-O'Day Act might be termed protective legilation as well as legislation to promote the employment of the blind since it provides for fair prices of articles produced by blind workers. However, it is limited in that it offers protection only on articles purchased by the federal government. Furthermore, it offers employment opportunities for blind workers in workshops only. On the other hand, it does provide the bulk of the business done by the workshops for the blind and has greatly increased their output. Robert B. Irwin, executive director of the American Foundation for the Blind, reported in 1941 that the Wagner-O'Day Act "has so enlarged the market for the products of the workshops for the

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[1] 52 U. S. Statutes at Large 1196 (June 25, 1938).

[2] Ibid.

blind that several hundred blind people are now afforded remunerative employment at reasonable wages and most of these workmen are removed from the relief rolls."[1]

It seems most significant that the "Committee on Purchases of Blind-Made Products," which was established by the Wagner-O'Day Act, requested the co-operation of the American Foundation for the Blind in administering the provisions of the Act. As a result of this request the American Foundation for the Blind organized an affiliated and non-profit agency known as the National Industries for the Blind. The function of this agency is to place the government orders with the various workshops for the blind. In this way the work is equally distributed and the government receives prompt and efficient service.[2]

In summary of the federal legislation which has been enacted to promote the employment of the blind, it is seen that the employment of blind people has been recognized as a special national problem only in the last decade. Probably the major reasons for this delay lay in the general public's attitude toward blindness, as well as the usual emphasis on local support of the economically dependent, the forms of earlier appeals for national recognition which were interpreted as class legislation, and reliance on the general vocational rehabilitation program. Whatever the major cases, the outstanding contributions of the federal government came through the passage of the Randolph-Sheppard Act of 1936, the Wagner-O'Day Act of 1938, and particularly the Vocational Rehabilitation Act Amendments of 1943. However, there are other federal provisions which grant special concessions and accommodations to blind persons, and which must be considered before arriving at any apparent conclusions on the total role played

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[1] Robert B. Irwin, "Federal Provisions of Benefit to the Blind," What of the Blind?, Vol. II, ed. by Helga Lende (New York: American Foundation for the Blind, 1941), pp. 195-96.

[2] Ibid.

by the federal government in promoting the welfare of its blind citizens.

## CHAPTER IV

## MISCELLANEOUS FEDERAL LEGISLATION TO PROMOTE THE WELFARE OF THE BLIND

In addition to the federal legislation which has been enacted to promote the education and the employment of blind persons, there has been other federal intervention in behalf of the blind because of their particular needs. This type of federal legislation consists mainly of those laws which facilitate travel for blind people by extending special privileges to their guides and guide dogs.

The first federal law which specifically named "the blind" as eligible for a special consideration in the area of transportation was the 1927 amendment to the Interstate Commerce Act of 1887.[1] This amendment permitted a blind person and a guide to travel together for one fare on the railroads.

The first special privilege for the loss of sight, which was granted upon a national basis, related to free transportation for the guides of blind people. The reason for this special concession seems self-evident since railroads were the most common means of transportation and since it was generally understood that the majority of blind people were unable to travel without the assistance of a guide. Furthermore, blind people, generally speaking, are of a low income group and it was difficult for most of them to pay double transportation costs. Moreover, one would expect that the number of blind persons who used common carriers was exceedingly small compared to the total number of passengers and that the cost of this type of accommodation for the blind was

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[1] 44 U. S. Statutes at Large 1247 (February 26, 1927).

relatively insignificant.

On the other hand, it is interesting to note that the Interstate Commerce Act of 1887 provided for free transportation, or transportation at reduced rates, for property transported for "charitable purposes."[1] Furthermore, its first amendment, which was passed in 1889, provided reduced rates for the transportation of "destitute and homeless persons transported by charitable societies."[2] In addition, there have been nine later amendments to this section of the Interstate Commerce Act of 1887 but only two of these were concerned with the transportation of blind persons, and the first of these was not passed unitl 1927.

The second amendment to the Interstate Commerce Act of 1887 which granted special concession to the blind was passed in 1937.[3] This amendment provided for a "seeing-eye dog or other guide dog specially trained and educated" to accompany its master on railroad carriers. This was in addition to the earlier provision which, as mentioned, permitted free transportation to a sighted person who acted as guide.

There was no apparent opposition to this type of federal legislation by the representatives of railway companies. In fact it appeared that most companies were allowing blind persons to take their guide dogs on trains long befor the federal acts and perhaps this was one reason for the delay in federal intervention. However, example had been seen in the various states which revealed the need for positive legislation in intrastate commerce instead of abiding by accepted opinions or local regulations. One example which was referred to by a

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[1] 24 U. S. Statutes at Large 387 (February 4, 1887).

[2] 25 U. S. Statutes at Large 862 (March 2, 1889).

[3] 50 U. S. Statutes at Large 475 (July 5, 1937).

[illegible] interstate.

On the other hand, it is [illegible] that the Interstate Act of 1887 provided for free transportation, or transportation at reduced rates, for property transported for "charitable purposes."[1] Furthermore, the [illegible] amendment, which was passed in 1889, provided reduced rates for transportation of "destitute and homeless persons transported by charitable societies."[2] In addition, there have been quite later amendments to this section of the Interstate Commerce Act of 1887 but only two of these were concerned with the transportation of blind persons, and the first of these was not passed until 1927.

The second amendment to the Interstate Commerce Act of 1887 which granted special consideration to the blind was passed in 1927.[3] This amendment provided for a "seeing-eye dog or other guide dog specially trained and educated to assist blind persons on railroad carriers." This was in addition to the earlier provision which, as mentioned, authorized free transportation to a blind person who acted as guide.

There was no appreciable opposition to this type of federal legislation by the representatives of railway companies. In fact it appeared that most companies were allowing blind persons to take their guide dogs on trains long before the federal act was passed. This was one reason for the delay in federal legislation. However, examples have been in the various states which proved [illegible] the inadvisability for the [illegible] of making [illegible] mandatory. One example which was referred to by a

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[1] 3, Statutes at Large 387 (February 4, 1887).

[2] [illegible] Statutes at Large [illegible].

[3] [illegible] Statutes at Large [illegible] (July 2, 1927).

later House report occurred in the State of Illinois.[1] In the city of Chicago the elevated rapid transit system had ordered all operators of company cars to admit guide dogs into coaches when accompanied by blind masters. However, this facilitated travel for the blind in Chicago only and in order to assure similar practices throughout the State the Illinois legislature amended its Public Utility Act in 1935 to permit guide dogs on common carriers. As it appeared necessary to pass state legislation to assure permanent and equal policies in intrastate commerce, it appeared necessary to pass federal legislation to control interstate commerce and to assure uniform policies for the country as a whole.

The third federal legislative act which facilitated travel for blind persons related to the admittance of guide dogs to federal buildings. This was passed in 1941 and permitted any guide dog under the control by the federal government.[2]

In a report to Congress by the Senate Committee on Public Buildings and Grounds it was pointed out that approximately six hundred men and women in the United States were "getting about" and performing their occupations and daily work "through the eyes of an educated seeing-eye dog guide.[3] It was apparent that the value of a guide dog to its master would be greatly limited if the dog could not accompany its master into public buildings. In fact one of the last barriers to seeing-eye dogs was the federal buildings since most local communities had learned to accept a blind man and his dog.[4] One might question why this

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[1]U. S. Congress, House Committee on Public Buildings and Grounds, Permitting Seeing-Eye Dogs to Enter Government Buildings, House Report 1448 to accompany S. 1826, 77th Cong., 1st Sess. (Washington: Government Printing Office 1941)

[2]55 U. S. Statutes at Large 796 (December 10, 1941).

[3]U. S. Congress, Senate Committee on Public Buildings and Grounds, Permitting Seeing-Eye Dogs to Enter Government Buildings, Senate Report 655 to accompany S. 1826, 77th Cong., 1st Sess. (Washington: Government Printing Office, 1941

[4]Ibid., p. 1.

practice by local communities was not adopted on a national scale without passing special legislation. However, as noted previously, accepted practices and resolutions often failed to accomplish their purpose and to attain unifority and permanency it was necessary to enact federal legislation. Moreover, there was no opposition to the consideration granted to guide dogs by these various federal acts and apparently it was an accepted fact that the guide dog had become an invaluable aid for many blind persons to achieve economic independency.

The only other outstanding concession granted to blind people by federal legislation is extra exemption on income tax. According to an amendment of the last income tax law each blind person is entitled to an extra $500.00 exemption for each taxable year after December 31, 1943.[1] This extra exemption is allowed for the taxpayer who is blind and not for a dependent who is blind. If both husband and wife are blind and a joint return is filed, a deduction of $1,000.00 is allowable.[2]

The definition of a blind person, as recorded by the Internal Revenue Code is "an individual whose central visual acuity does not exceed 20/200 in the better eye with correcting lenses, or whose visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of cision such that the widest diameter of the fisual field subtends an angle no greater than 20 degrees."[3] It is noted that this is the generally accepted opthalmological definition of blindness.[4]

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[1]U. S. Congress, Public, No. 235, 78th Cong., 2d Sess. Approved February 7, 1944. Section 115.

[2]Prentice-Hall, Federal Tax Course (New York: Prentice-Hall, Inc., 1945), sec. 1948.

[3]U. S. Congress, Public, No. 235, p. 16.

[4]Supra., p. 5.

In order for a blind person to receive the extra exemption he must support his claim with a personal statement attached to his tax return. If he is not totally blind he must attach a statement from an "eye physician" or "registered optometrist" which shows that he is eligible for the extra tax deduction.[1]

In Summary, it is seen that there are really only two special privileges granted by federal legislation to offset the disadvantages of the lack of sight. These are first, free transportation to guides or guide dogs on common carriers and admission of dogs to public buildings, and second, extra deduction from income tax for special services needed because of blindness. These two concescions seem most inadequate in meeting the special problems created by blindness. Although there is probably no way to compensate for the loss of eyesight, there are other considerations which could be provided on a national scale to increase the security and self efficiency of the blind. Two examples of such considerations are before Congress at the present time. One of these would prevent discrimination against blind persons in the administration of civil service laws and rules.[2] The other would provide for the payment of annuities to the blind.[3]

It should be pointed out here that there are concessions extended to the blind which are not provided by federal laws. Many accommodations are granted through agencies concerned with the Welfare of the blind and through state and local legislation. For example, the American Foundation for the Blind grants special discounts for blind braillewriters, phonograph records, radios, watches especially designed for blind people, and white canes; the Memorial Press of Boston manufactures games and appliances such as checkers, chess, dominoes and various card games for the blind; and nearly every state has enacted legislation provid-

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[1]Prentice-Hall, op. cit.

[2]U. S. Congress, H. R. 2939, 79th Cong., 1st Sess. See: 91 Congressional Record 3586 (April 18, 1945).

[3]U. S. Congress, H. R. 1416, 79th Cong., 1st Sess. See: 91 Congressional Record 277 (January 15, 1945).

ing special assistance to voters who are blind.[1] However, privileges of this type are usually inadequate in that they are local by nature or do not have the backing and support characteristic of federal provisions and while the blind may receive much consideration in some communities they are often neglected in many.

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[1] Robert B. Irwin, "The Blind and Resources for their Aid," op.cit. pp. 14-16.

## CHAPTER V

## CONCLUSIONS

The federal government has come to the assistance of the blind in a number of areas. Of the programs included in this report, education has received the most attention and assistance. The most substantial form of federal assistance to the blind is, of course, aid to the blind. This public assistance program involves federal aid to states which extend aid to the needy blind under approved state plans. This program is far larger than any studied in this report.[1]

The first interest of the federal government in the blind was manifested by granting funds to the American Printing House for the Blind. The American Printing House for he Blind which is of interstate character has received federal subsidies since 1879 to promote the education of the blind pupils in public institutions for the education of the blind. The Library of Congress has received federal funds since 1931 to promote the education of the adult blind. This program has enabled the development of libraries for the blind throughout the country. The third means of federal contribution to the education of the blind was the granting of special franking privileges on reading matter for the blind. In these three ways the federal government has helped to meet the important needs of the blind which were not adwquately bring met locally and which arose out of the efforts of organized groups within the states which had dome much to develop the education of the blind in the states.

Throughout the history of federal legislation for the blind it is noted

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[1] In February, 1945, the federal state program of Aid to the Blind assisted 56,012 recipients and payments amounting to $1,661,745 were made. Social Security Bulletin, Vol. VIII, No. 4 (April, 1945), p. 23.

that the blind were singled out for special consideration because of their specialhandicap. Emotional emphasis was given to the disadvantage of blindness by the supporters of the various bills, and the members of Congress reacted positively to this type of appeal. Frequently one or more Congressmen added their emotional reactions to blindness and much of the debates were given to sentimental expression rather than to realistic understanding of the provisions of the laws. Perhaps less legislation would have been passed if the sponsors had not pointed up the emotional connotations of blindness and the reaction of sighted people to the blind. However, there should be an orderly and scientifically planned approach in studying the number of blind and their individual needs and in passing legislation which most adequately meets these needs to attain a standard of living for the blind which is more "satisfactory." Furthermore, Congress has not opposed helping the blind per se but has questioned some of the methods of assistance. This fact should encourage more scientific planning and less emotional emphasis.

In the area of employment the federal government has recognized the blind as a special group in need of rehabilitation and assistance by providing a special plan of administration of vocational rehabilitation to the blind by authorized state agencies for the blind and contributing federal funds for this purpose, permitting the operation of vending stands in federal buildings and surveys of employment opportunities for concession stands by the blind, and promoting the employment of blind persons in the workshops for the blind. However, these means of federal assistance were not developed until the last decade which seems an ironical contrast to the fact that the outstanding problem accompanying blindness has long been recognized as an economic one. Isolated this fact stands out shamefully but it must be remembered that the economic needs of other handicapped groups were also long neglected by the federal government. It is encouraging that the federal legislation enacted to promote the employment of the

blind has been better planned than earlier federal laws for the blind. For example, the Randolph-Sheppard Act was a result of studies and experiences by agencies concerned with the welfare of the blind.

Congress has chosen to experiment in vocational rehabilitation with administration by state agencies for the blind where such agencies have statutory authority in the state to provide rehabilitation services. It remains to be seen what the results of this new administration plan will be.

Regarding the special considerations to meet the particular needs of the blind much remains to be done. Not only is it necessary to have further federal intervention in this area but there should be a cooperation and dissemination of information among the national and state agencies for the blind, the local and state governments, and the federal government. Full cooperation with emphasis on federal leadership should eliminate unnecessary overlapping and should gain more uniformity, and accordingly provide more adequate consideration for the blind. This principle of cooperation and understanding between the different agencies and levels of government is applicable to any area of welfare of the blind. Furthermore, it should facilitate plotting of the direction to be followed by the federal government in the future in promoting the welfare of the blind and other handicapped persons, whereas in the past there has been no true direction of federal legislation but rather it has been a "spotty" sort of program enacted in response to pressure and sentiment.

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   _____. House. Committee on Education. Additional Aid for the American Printing House for the Blind. H. Report 43, to accompany H. R. 2847, June 14, 1919. 66th Cong., 1st Sess. 1919.

   _____. Senate. Committee on Education and Labor. Additional Aid for the American Printing House. S. Report 106, to accompany H. R. 2847, July 24, 1919. 66th Cong. 1st Sess. 1919.

   _____. House. Committee on Education. To Amend the Act Providing Additional Aid for the American Printing House for the Blind. Hearing on H. R. 13453, December 15, 1926. 69th Cong., 2d Sess. 1926.

   _____. Senate. Committee on Education and Labor. To Amend the Act Providing Additional Aid for the American Printing House for the BLIND. S. Report 7287, to accompany H. R. 13453, January 5, 1927. 69th Cong., 2d Sess. 1927.

   _____. House. Committee on the Library. Books for the Adult Blind. Hearing on H. R. 9042, March 27, 1930. 71st Cong., 2d Sess. 1930.

   _____. House. Committee on Education. Books for the Adult Blind. Hearing on H. R. 9042, May 28, 1930. 71st Cong., 2d Sess. 1930.

   _____. House. Committee on the Library. To Amend the Act Providing Books for the Adult Blind. H. Report 1877, to accompany H. R. 13817, January 17, 1933. 72d Cong., 2s Sess. 1933.

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U. S. Congress. Senate. Committee on Education and Labor. To Amend the Act Providing Books for the Adult Blind. S. Report 1246, to accompany H. R. 13817, February 18, 1933. 72d Cong., 2d Sess. 1933.

_____. House. Sub-Committee Number 3 of Committee on the Post Office and Office Roads. To create a Bureau of the Blind in the Post Office Department and to provide Licenses to Blind Persons to Operate Stands in Federal Buildings. Hearing on H. R. 5674, Feb. 14, 1934. 73rd. Cong., 3d. Sess. 1934.

_____. House. A Sub-Committee of the Committee on Labor. To Create Employment Opportunities for Blind Persons in the United States. Hearing on H. R. 4688, March 12-16, 1935. 74th Cong., 1st Sess. 1935.

_____. Senate. Committee on Finance. The Social Security Act. S. Report 628, to accompany H. R. 7260, May 5, 1935. 74th Cong., 1st Sess. 1935.

_____. House. A Sub-Committee of the Committee on Labor. To Create Employment Opportunities for Blind Persons in the United States. H. Report 1094, to accompany H. R. 4688, June 4, 1935. 74th Cong., 1st Sess. 1935.

_____. Senate. Committee on Education and Labor. To Create Employment Opportunities for Blind Persons in the United States. S. Report 2052, to accompany H. R. 4688, May 19, 1936. 74th Cong., 2d Sess. 1936.

_____. House. Committee on Education. To Amend the Act, as Amended, Providing Additional Aid for the American Printing House for the Blind. Hearing on H. R. 4582, March 4, 1937. 75th Cong., 1st Sess. 1937.

_____. House. Committee on Education. To Amend the Act, as Amended, Providing Additional Aid for the American Printing House for the Blind. H. Report 762, to accompany H. R. 4582, March 5, 1937. 75th Cong., 1st Sess. 1937.

_____. Senate. Committee on Education and Labor. To Amend the Act as Amended, Providing Additional Aid for the American Printing House for the Blind. S. Report 1150, to accompany 4582, August 9, 1937. 75th Cong., 1st Sess. 1937.

_____. Senate. Committee on Public Buildings and Grounds. Permitting Seeing-Eye Dogs to Enter Government Buildings. S. Report 655, to accompany S. 1826, August 14, 1941. 77th Cong., 1st Sess. 1941.

_____. House. Committee on Public Buildings and Grounds. Permitting Seeing-Eye Dogs to Enter Government Buildings. H. Report 1448, to accompany S. 1826, November 25, 1941. 77th Cong., 1st Sess. 1941

U. S. Congress. House. Committee on the Library. To Amend the Act Providing Books for the Adult Blind, as Amended. H. Report. 2271, to accompany H. R. 7273, June 23, 1942. 77th Cong., 2d Sess. 1942.

_____. House. Committee on Education. Vocational Rehabilitation Act, Amendments of 1943. H. Report 426, to accompany H. R. 2536, May 7, 1943. 78th Cong., 1st Sess. 1943.

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